

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the
COMMITTEE ON IMMIGRATION

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October 18, 2023
Start: 10:08 a.m.
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HELD AT: Council Chambers - City Hall

B E F O R E: Shahana K. Hanif
Chairperson

COUNCIL MEMBERS:

Carmen N. De La Rosa
Rita C. Joseph
Shekar Krishnan
Francisco P. Moya
Pierina Ana Sanchez
Sandra Ung

A P P E A R A N C E S (CONTINUED)

Manuel Castro
MOIA Commissioner

Tom Tortorici
Executive Director of Legal and Support
Initiative at MOIA

Masha Gindler
Executive Director for Asylum Application Help
Center at MOIA

Kelly Agnew-Barajas
Director of Refugee Resettlement at Catholic
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Melissa Chua
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Sanctuary for Families Immigration Project

Rosie Wang
Vera Institute of Justice

Susanna Saul
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New York Chapter of American Immigration Lawyers

A P P E A R A N C E S (CONTINUED)

Raul Rivera
TLC Driver

Sharone Kaufman
Legal Aid Society

Terry Lawson
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Marc Valinoti
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David Miranda
Covenant House New York

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The Door Legal Services

Sierra Kraft
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Ernie Collette
Immigration Law Project Mobilization for Justice

Hannah Tager
Policy Manager at Win

Leslie Allen
NYC Anti-Violence Project

A P P E A R A N C E S (CONTINUED)

Nuala O'Doherty-Naranjo
Jackson Heights Immigrant Center

Antonia House
Take Root Justice

Jim Burke
34th Avenue Open Streets

2 SERGEANT AT ARMS: Good morning and
3 welcome to today's New York City Council hearing for
4 the Committee on Immigration. If you wish to submit
5 testimony, you may at testimony@council.nyc.gov.
6 Once again, that's testimony@council.nyc.gov. If you
7 need any translation services, you may ask one of the
8 sergeants in the room. [speaking Spanish] At this
9 time, please silence all electronic devices. At no
10 point during this hearing may anyone approach the
11 dais. Chair Hanif, we are ready to begin.

12 CHAIRPERSON HANIF: Good morning and
13 welcome to this morning's Immigration Committee
14 Oversight hearing regarding legal services for
15 asylum-seekers in New York City. I'm Council Member
16 Shahana Hanif, Chair of the Committee on Immigration.
17 I want to thank everyone joining us today. Including
18 my council colleagues-- I know Council Member Moya is
19 on the Zoom-- representatives from the Administration
20 and the public who are here in person, and those
21 participating remotely. The importance of today's
22 topic cannot be overstated. More than 100,000
23 asylum-seekers have to New York City over the last
24 year. These people have traveled thousands of miles
25 to our city because they want to work here to support

2 themselves and their families. However, the various
3 barriers to entering the workforce have left many
4 unstable to support themselves financially and depend
5 on the shelter system for housing. The pathway out
6 of the challenging situation our city is facing is an
7 effective legal services operation that helps new
8 arrivals quickly and successfully obtain asylum
9 status, temporary protective status, and work
10 permits. For many years, the City has facilitated
11 access to important legal services including
12 ActionNYC which provides free and safe legal help
13 through an incredible network of community-based
14 organizations. Since asylum-seekers began arriving
15 in large numbers last summer, I've been calling for
16 the City to dramatically scale-up our immigrant legal
17 service infrastructure. For about a year, this plea
18 had gone largely unanswered with no city funding
19 dedicated to this issue in FY23 and FY24 and little
20 operational support put in place. The consequences
21 to this lack of prioritization has been immense with
22 many of the earliest arrivals missing their one-year
23 asylum application filing deadlines, which could
24 relegate them to undocumented status. I've been
25 encouraged that in recent months the tides have

2 started to turn. In July, the City launched the
3 Asylum Application Help Center which has staffing
4 from immigration legal service providers, private law
5 firms, students, and volunteers. More recently, the
6 City received significant funding for immigrant legal
7 services from the state. Today, we look forward to
8 learning more about the services provided by the City
9 and how they've been able to support the immigrants
10 who need legal help. We also look forward to hearing
11 from the immigration legal service providers,
12 advocates and nonprofit partners who have been
13 guiding immigrant New Yorkers through challenging
14 legal processes, and often providing other support
15 including translation, physical space to conduct
16 work, and mental health resources. We look forward
17 to hearing from the Administration, advocates,
18 providers, and asylum-seekers to understand the
19 challenges, resources available, areas of
20 improvement, and how to better collaborate to ensure
21 that immigrants who come to New York City are not
22 forced to face the complex immigration legal process
23 on their own. We hope this hearing aids in focusing
24 efforts to ensure that legal services we establish
25 and enhance in response to the recent migrant influx

2 can be made available long-term. Including to address
3 the need for legal representation in Immigration
4 Court. We do not need cruel and counterintuitive
5 polices like caps on shelter stays in order to get
6 through this challenging moment. We can build a
7 legal services infrastructure that gets new arrivals
8 to work out of the shelter system and allows them to
9 support their families and our local economy. I want
10 to thank all the committee staff for their work on
11 this issue, including Nicole Cata, Legislative
12 Counsel, Rebecca Barilla, Policy Analyst, and
13 Florentine Kabrore, Unit Head in the Finance
14 Division, my staff, Alex Liao, Legislative and Budget
15 Director, Michael Whitesides, Communication Director,
16 and Nora Brickner, Chief of Staff. And lastly,
17 everyone working in the background to make this
18 hearing run smoothly, including the interpreters and
19 the Sergeants at Arms. I also want to acknowledge
20 that we've been joined by Council Member Ung on Zoom.
21 Now I will turn to Committee Counsel to administer
22 the oath.

23 COMMITTEE COUNSEL: Thank you, Chair. We
24 will now hear testimony from the Administration.
25 We'll hear from Manuel Castro, Commissioner of the

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2 Mayor's Office of Immigrant Affairs, Tom Tortorici,
3 Executive Director for Legal and Support Initiatives
4 at MOIA, and Masha Gindler, Executive Director for
5 the Asylum Application Help Center. Before we begin,
6 I will administer the affirmation. Panelists, please
7 raise your right hand. Do you affirm to tell the
8 truth, the whole truth and nothing but the truth
9 before this committee and to respond honestly to
10 Council Member questions?

11 COMMISSIONER CASTRO: I do.

12 COMMITTEE COUNSEL: Thank you. You may
13 begin when ready.

14 COMMISSIONER CASTRO: Good afternoon
15 Chair Hanif and members of the Immigration Committee.
16 Thank you for holding this hearing. As I have in the
17 last year, I wanted to start by thanking the many
18 thousands of city employees, contractors, nonprofit
19 organizations, and of course, my team at the Mayor's
20 Office of Immigrant Affairs for all their work in the
21 last year responding to this humanitarian crisis.
22 Little did we know that about over a year ago when we
23 started to welcome asylum-seekers to our city, we
24 would still continue to welcome so many people to our
25 city in the face of this crisis. They are truly

2 making miracles happen, and so I want to really thank
3 them for all the work that they do. They have truly
4 met the moment. They are working 24/7 to make sure
5 that people have a dignified welcome to our city.
6 And we are very much still at the height of this
7 crisis with the last couple of weeks welcoming record
8 numbers of asylum-seekers to our city. And I'm
9 joined here by two of my colleagues who I know have
10 been working 24/7 in making sure that asylum-seekers
11 and others arriving to our city have access to legal
12 representation. I am joined by Tom Tortorici,
13 Executive Director of Legal and Support Initiatives,
14 and Masha Gindler, Executive Director of the Asylum
15 Application Help Center at the Office of Asylum-
16 seekers Operations. So that we can get into our
17 questions, I've shortened my verbal testimony. I
18 will be submitting my much longer written testimony
19 for the committee to have. But here I wanted to
20 share a few highlights in summary of what we've done.
21 In response to this humanitarian crisis, New York
22 City continues to lead the nation in its response
23 to this emergency with a coordinated multi-agency
24 effort that humanely meets the immediate needs of
25 newly-arrived immigrants. Legal assistance is very

2 much one of the most critical needs facing this
3 community. The day asylum-seekers enter the country,
4 the clock starts ticking. Asylum becomes much harder
5 to obtain a year after entry as the Chair mentioned.
6 The federal guarantee of legal representation
7 regardless of ability to pay, that is a right for
8 those facing criminal charges, does not apply for
9 individuals and families facing deportation
10 proceedings. Unfortunately, in the eyes of the
11 Federal Government, this does not matter. If an
12 asylum-seekers lacks the legal resources to put
13 claims on paper and present them to an immigration
14 judge, or a USCIS officer. That's why New York City
15 has invested more than \$65 million dollars annually
16 into immigration legal services, recognizing the
17 immense need of our immigrant communities and
18 families, including our newly-arrived immigrants.
19 Legal services can help immigrant New Yorkers
20 stabilize their immigration status, access jobs,
21 health insurance, education, ultimately benefitting
22 our city and our country as a whole. And as you
23 know, I have been a long-time advocate for legal
24 services and for these kinds of supports of our
25 community. Because of these strategic investments

2 and the hard work of dedicated practitioners,
3 nonprofit immigration legal service providers, New
4 York City has the most robust immigration legal
5 services in the nation. Even still, the field did
6 not and does not currently have the capacity to fully
7 address the urgent needs of the tens of thousands of
8 asylum-seekers who have arrived in our city during
9 this crisis. That is why Mayor Adams has left no
10 stone unturned to ensure that these new New Yorkers
11 get the legal support necessary to thrive. From the
12 first bus arrivals last year, for instance, city-
13 funded immigration legal service providers show
14 thousands of newly-arrived asylum-seekers how to
15 navigate the system. The federal system process is
16 complex and often confusing and the Federal
17 Government was putting the wrong addresses on
18 people's forms and assigning them the wrong courts.
19 The orientation sessions and one-on-one meetings
20 helped people comply with ICE check-in requirements,
21 attend immigration court hearings, change their
22 addresses and better understand their case and
23 overall process. Due to the influx of newly-arrived
24 immigrants and support our community-based partners
25 launched-- we launched the Asylum Application Help

2 Center, which is helping asylum-seekers complete and
3 file their applications. This innovative and first
4 of its kind model leverages partnerships with
5 experienced immigration attorneys, lawyers,
6 paralegals, city employees, and most recently
7 students from academic institutions to assist asylum-
8 seekers file their application and putting them one
9 step closer to work authorization. Our efforts with
10 the help center have been so successful that the New
11 York State government seeing the success of our
12 operations recently announced that they would be
13 allocated additional and significant funds to bolster
14 the City's efforts to provide legal services and
15 expand the application center's model to help
16 Venezuelans and others apply to temporary protective
17 status or TPS. Additionally, the New York City
18 Department of Social Services and the New York City
19 Health + Hospitals staff recently conducted a
20 comprehensive survey to identify asylum-seekers who
21 are eligible for work authorization. Our assessment
22 is ongoing and we will share an update upon
23 completion in the next few weeks. This work is
24 incredibly important because it will allow us to
25 connect people to the Federal Government work

2 authorization clinic or work authorization
3 appointments at the Asylum Application Help Center.
4 Due to lack of information shared with humanitarian
5 parolees at the border and barriers to submitting the
6 work permit application, humanitarian parolees in
7 shelter might easily have missed out on the
8 opportunity to immediately apply for work
9 authorization. The City in partnership with federal
10 and state government and nonprofit providers
11 scheduled eligible individuals for legal assistance
12 clinics helping more than 1,700 humanitarian parolees
13 apply for work authorization. The Administration
14 also allocated five million in new funding for
15 Asylum-seeker Legal Assistance Network, or ASLAN,
16 expanding access to immigration legal information,
17 orientation, individual consultation, brief advice,
18 and application assistance for asylum-seekers
19 citywide. Through this initiative services are
20 provided at community-based legal service locations
21 citywide and remotely. And the City's immigration
22 legal hotline has expanded to handle higher call
23 volumes and lower [sic] call durations which had been
24 a challenge throughout this humanitarian crisis.
25 Importantly, this effort will help build the City's

2 long-term human capacity to provide immigration legal
3 services which I know is of special interest to the
4 Council and to advocates. Throughout a partnership
5 with CUNY, CUNY law student attorneys under the
6 supervision of their professors start their placement
7 this week at trusted community-based organizations
8 called Resource Navigation Centers, and our legal
9 partners are ramping up their operations to conduct
10 application assistance events and supplement the
11 existing service array. Now, I want to speak to the
12 advocacy of our office and the Administration on
13 these important matters. As we have said time and
14 time again, New York City cannot do this alone.
15 Asylum-seekers are facing bureaucratic and procedural
16 hurdles imposed by the Federal Government that limits
17 their success and well-being of their families. I have
18 repeatedly joined Mayor Adams and advocates in a
19 national call to-- for our Federal Government to
20 provide much-needed support and use every tool at
21 their disposal to create safe and orderly and humane
22 pathways to stability, both for those who are already
23 here, as well as our newly-arrived immigrants. Since
24 the last time I testified before you, the Federal
25 Government has heeded some of our calls in a few key

2 areas. We sent a letter to the Department of
3 Homeland Security signed by over 30 U.S. mayors in
4 early September calling for expanded access to TPS
5 protections for immigration from 11 countries. So
6 far, two of those countries, Venezuela and Cameroon,
7 were designated for TPS in the weeks that followed.
8 And we continue to advocate for the rest of the
9 countries that must and should be included in these
10 protections. On August 31st I joined Mayor Adams and
11 dozens of asylum-seekers, advocates, and elected
12 officials to call on the Federal Government to
13 expedite the processing of worth authorization. Each
14 and every time, as I shared before, at these council
15 hearings, when I meet with asylum-seekers the first
16 question asked without fail is "How can I get to
17 work?" Asylum-seekers repeatedly tell me they do not
18 want anything for free. They do not want handouts.
19 They want to get to work to be able to provide for
20 themselves, their families and contribute back to our
21 city. a few weeks ago after this rally, the Federal
22 Government hosted expedited work authorization
23 clinics with many walking out the door with clear
24 information of when they could expect a work permit
25 in hand. As far as I know, this is the first time

2 that the Federal Government has taken on this role.
3 So we continue to call on the Federal Government to
4 do their part by surging resources and expanding
5 access to expedited work permits. It's likely none
6 of these development would have happened without our
7 continued advocacy, not just of Mayor Adams, myself,
8 and our Administration, but of all the advocates,
9 some of which will testify today. New York City will
10 continue to lead the way. Cities around the world
11 look to our leadership, this leadership driven by our
12 own values and personal experiences. As I shared a
13 few times before, I myself came to the City as a
14 child migrant, and would have wished I had had the
15 support that we are now able to provide newly arrived
16 immigrants when we arrive. You have my commitment
17 that I will never stop advocating for the wellbeing
18 of asylum-seekers and of all immigrant New Yorkers.
19 So with that, I thank you for listening to my
20 remarks, and I look forward to your questions.

21 CHAIRPERSON HANIF: Thank you. I'd like
22 to acknowledge that we've been joined by Council
23 Member De La Rosa. Thank you, Commissioner Castro
24 and Tom and Masha for being here, and deeply
25 appreciate your work and the advocacy push for TPS

2 designation, re-designation. And really, the
3 question that we want to dig into is how can asylum-
4 seekers get to work, and that's why we're really
5 excited to dive into the legal services operation,
6 and it's been really great to learn about some of the
7 specifics, but I'd like to just begin by-- I don't
8 know if any others are testifying.

9 COMMISSIONER CASTRO: No.

10 CHAIRPERSON HANIF: Okay, great. I'm
11 going to dive right into just numbers, if you could
12 share some data. With the President's recent
13 expansion of TPS to Venezuelans, there's a clear
14 pathway for many asylum-seekers to obtain work
15 permits. The President has taken this first step of
16 hopefully many to help our newest neighbors, and we
17 need to make sure the City follows through on our
18 responsibilities to ensure these folks can get on the
19 path to economic independence. Can you share-- I
20 know that you mentioned the assessment will be shared
21 with the Council, but is there any preliminary
22 numbers you can share with us about how many TPS
23 applications the City has helped file?

24 COMMISSIONER CASTRO: Yes. I'll hand
25 that other to Masha to respond, but beforehand, I do

2 want to again shout out Masha and the rest of the
3 Application Assistance Help Center, and the OASA
4 [sic] team for all the incredible work. As I said,
5 people are making miracle happen throughout the City
6 and especially with this help center. I think it's
7 been a success, and thanks to really the efforts of
8 Masha and the team working 24/7 to figure this out.
9 As I said, this is an innovative approach, but
10 something that we had to do in order to ramp up
11 support for our newly-arrived immigrant community.
12 So, Masha?

13 EXECUTIVE DIRECTOR GINDLER: Yes, happy
14 to take that question. Thank you. So we-- when TPS
15 for Venezuelans was announced on October 3rd, the
16 first day we could file, we immediately got to work
17 to schedule over 600 clients for TPS appointments.
18 As of today, about half of those have been filed.
19 The reason that is, is because there's a lot of
20 paperwork that has to go through with it, so a lot of
21 these clients have return appointments coming their
22 way that they're going to come back with the
23 requisite paperwork and we'll be able to file at that
24 time.

2 CHAIRPERSON HANIF: And do they all come
3 back to the Help Center? Could you describe the
4 process that folks are expected to undergo?

5 EXECUTIVE DIRECTOR GINDLER: Yeah, of
6 course. So if they get an appointment at the
7 Application Help Center, we'll work with them to help
8 fill out the application and let them know what
9 paperwork if any is still required. Then they'll get
10 a follow-up appointment to come back as soon as we
11 have one available to be able to actually submit with
12 us. And we'll also do work to help them get some of
13 that paperwork, because some of it can be tricky for
14 them to even figure out how to receive.

15 CHAIRPERSON HANIF: And then could you
16 share how many people are at the Help Center
17 supporting the 600 TPS potential recipients, and is
18 600-- do you consider that a large number, small
19 number? Could you share what the timeframe of how
20 many-- how many folks you expected or had a goal of
21 and expect to complete?

22 EXECUTIVE DIRECTOR GINDLER: Yeah, for
23 sure. So when we started we were doing asylum
24 applications. Those are longer forms. To this date
25 we did over 5,600. So at a rate of about 75 per day.

2 With TPS we're learning a little bit as we go about
3 unique challenges that have to go with it. Our goal
4 is to do a lot more than 600, but we're still
5 learning even though the form is on some level
6 simpler, how much extra time the paperwork collection
7 takes. In terms of the productivity of the center,
8 we have around 75 application assistants that work
9 directly with clients and helping filling out the
10 forms, and they're managed by of a crew of around 20
11 immigration attorneys that review their work and mail
12 their work.

13 CHAIRPERSON HANIF: So, 75-- you call
14 them assistants?

15 EXECUTIVE DIRECTOR GINDLER: Application
16 assistants.

17 CHAIRPERSON HANIF: Application
18 assistants-- and then 20 attorney supervisors.

19 EXECUTIVE DIRECTOR GINDLER: Exactly.

20 CHAIRPERSON HANIF: okay, great. And
21 then what's the outreach that the City is doing to
22 ensure those who are eligible and are aware and know
23 how to file/

24 EXECUTIVE DIRECTOR GINDLER: So, the
25 assessment that Commissioner Castro talked about will

2 give us a lot of the information about who is
3 eligible and who we are able to call back and
4 schedule appointments at the center.

5 CHAIRPERSON HANIF: Understood. And there
6 was initial confusion about the Administration's
7 estimate on how many Venezuelan New Yorkers are
8 eligible. Could you provide an updated estimate?

9 EXECUTIVE DIRECTOR GINDLER: Our number
10 hasn't changed about there being 15,000 eligible
11 Venezuelans. I think where there was confusion was
12 about how many total Venezuelans were in our care.
13 At the moment, we're still estimating 15,000, but we
14 do want to reserve the right to have the assessment
15 complete and then get back to you a final number.

16 CHAIRPERSON HANIF: And so going back to
17 the 600 scheduled for appointments, is that number
18 like a targeted goal that you all had, or could you
19 describe how you're assessing reaching the 15,000 who
20 are eligible?

21 EXECUTIVE DIRECTOR GINDLER: Yeah, so I
22 think that we-- we had been booked throughout all of
23 October when TPS was announced, and so we could not
24 have additional clients come in, because we were-- we
25 fully book our appointments as much as possible. So

2 the first week where we can kind of increase the
3 amount of TPS appointments we're doing would be that
4 first full week in November, and at the same time, as
5 I'm sure we'll talk about later in the hearing, we're
6 also plan to opening satellites that can increase the
7 volume of TPS we do. Our goal is to identify,
8 screen, and schedule appointments for all Venezuelans
9 that are eligible in our care by the end of the year.

10 CHAIRPERSON HANIF: Okay. And does that
11 mean that you may add-- you might add more
12 application assistants or?

13 EXECUTIVE DIRECTOR GINDLER: Correct.

14 CHAIRPERSON HANIF: You'll staff up? Are
15 these folks on-staff? Like, could you describe the
16 pay structure or like the staffing?

17 EXECUTIVE DIRECTOR GINDLER: Yeah. So we
18 knew we had to move quickly. We leveraged legal temp
19 contract that the Law Department already had, and so
20 we're hiring both the application assistants and the
21 supervising attorneys through that temp contract.

22 CHAIRPERSON HANIF: Okay. And then how
23 many asylum-seekers does the Administration estimate
24 are eligible for humanitarian parole?

2 EXECUTIVE DIRECTOR GINDLER: I do not
3 have that number handy, but I can get back to you
4 with that number.

5 CHAIRPERSON HANIF: And is the City doing
6 any outreach to ensure these folks are aware that
7 they can immediately apply for work authorization?

15 CHAIRPERSON HANIF: Great. And then
16 going back to the total asylum applications filed,
17 thanks for sharing the 5,600 number. How many have
18 been successful?

19 EXECUTIVE DIRECTOR GINDLER: So, I'm
20 excited to answer this question because it means--
21 depends on what you mean by successful, and I promise
22 I'll answer either way. So, they're successful in
23 the sense that did the federal government accept this
24 application, because applications get rejected for a
25 multitude of reasons, even small procedural reasons.

2 Meaning that if your application is rejected, your
3 clock to get work authorization hasn't started. You
4 still have to resubmit. And so on that level of
5 success, I believe we are very successful. We have
6 gotten great feedback from the federal government
7 about the quality of our applications. We have very
8 few rejections. When we do have rejections, we fix
9 them, and often the rejection is actually not the
10 fault of the center, but a misunderstanding from the
11 federal government that we clarify. So, on that
12 level our applications are submitted accurately, and
13 the 56,000 [sic] people that have submitted have had
14 their work authorization clock start, and we're going
15 to be able to call them back in a [inaudible] days
16 and do the work authorization. Now, the other part
17 of successful that I'm sure you mean is how many of
18 them are going to get asylum, and the truth is that
19 is answer we won't know for many years, because these
20 applications won't be adjudicated for years to come.
21 So we take measures to ensure quality, like making
22 sure every application's reviewed at least three
23 times, at least twice by immigration attorneys, but
24 ultimately what will happen will depend a lot on

2 things in the years to come, including the political
3 climate. So we'll learn together.

4 CHAIRPERSON HANIF: I totally understand
5 that, and the tedious nature and the year's long
6 nature of the application process. Are you able to
7 share how many work permits the City has filed?

8 EXECUTIVE DIRECTOR GINDLER: Yeah, so
9 with work permits, at the clinic we have file 444,
10 because we're only able to do humanitarian-based
11 parole of the clients that we already had coming in,
12 and then the federal-- with the federal push combined
13 we did an additional 1,700.

14 CHAIRPERSON HANIF: And then how many
15 have been successful?

16 EXECUTIVE DIRECTOR GINDLER: So we're
17 still waiting on those, too, and we really hope the
18 Federal Government adjudicates those quickly so that
19 we can learn lessons about exactly that.

20 CHAIRPERSON HANIF: That's great. And
21 then are the application assistants the same group of
22 folks who are helping with the-- with all kinds of
23 applications?

24 EXECUTIVE DIRECTOR GINDLER: Yes, our
25 application assistants are trained to do asylum

2 applications, work authorization, TPS, motions to
3 change address, to change venue, and fee waivers.

4 CHAIRPERSON HANIF: Great. And then does
5 the City have a goal set on how many TPS
6 applications, asylum applications, and work
7 authorization applications it aims to file on a
8 monthly basis?

9 EXECUTIVE DIRECTOR GINDLER: So, our goal
10 when we started this operation in the late summer was
11 to get through 600 asylum applications. This was
12 before we knew that TPS was going to happen.

13 CHAIRPERSON HANIF: Could you repeat the
14 timeframe again?

15 EXECUTIVE DIRECTOR GINDLER: Yeah, so
16 when we first started this in July, we wanted to get
17 through 6,000. We're on track to exceed that number
18 for asylum applications, and with the advent of TPS,
19 we're kind of going through a recalculation now to
20 understand what is a moon-shot goal for us to do for
21 both asylum and TPS, because we don't intend on
22 stopping asylum, even though we want to ramp up TPS.

23 CHAIRPERSON HANIF: And then going back
24 to-- just to clarify on the work permit filing. You
25

2 said that around 400 were done through the clinic and
3 then the federal support you completed 1,000.

4 EXECUTIVE DIRECTOR GINDLER: 1,700.

5 CHAIRPERSON HANIF: 1,700, okay, great.

6 Okay, this was very thorough. I really appreciate
7 these numbers, and looking forward to just staying
8 engaged and receiving regular updates about the
9 applications filled. So I want to acknowledge that
10 we've been joined by Council Member Joseph. Moving
11 onto the 30/60-day rule. This Council has been clear
12 in a previous hearing with the General Welfare, that
13 we are strongly opposed to the Mayor's cruel and
14 counterintuitive polices to evict our newest New
15 Yorkers from shelters. The 30-day shelter limit for
16 single adults, and 60-day shelter limit for families
17 is causing operational chaos and pushing vulnerable
18 people out onto the streets. It also makes it harder
19 to apply for asylum, TPS, and work permits due to
20 challenges related to changing addresses and the
21 instability caused by eviction. How is the City
22 providing assistance with change of addresses for the
23 various applications for folks who are within the
24 30/60-day vacate period?

2 COMMISSIONER CASTRO: Well, before-- if
3 you don't mind, Chair, I wanted to give the
4 opportunity for Tom Tortorici to talk about our
5 general work with TPS applicants, especially our
6 Haitian Response Initiative which we're very proud
7 of. This is work that's happening in parallel with
8 the Help Center, and I think it's critical to say a
9 few things about that, because I do want to highlight
10 that it-- you know, this work has been ongoing in
11 particular with communities like Haitian community.
12 and again, we are using this as an opportunity to
13 learn more about how to conduct this work at-scale in
14 the case we do-- are successful in getting TPS for
15 other communities. Could you share a little?

16 EXECUTIVE DIRECTOR TORTORICI: Thank you,
17 Commissioner. Hi, Chair Hanif.

18 CHAIRPERSON HANIF: Hi.

19 EXECUTIVE DIRECTOR TORTORICI: Good to
20 see you. So, as Commissioner mentioned, the City has
21 really taken an innovative approach in the
22 Application Help Center, filing high numbers of
23 applications using-- not working in the traditional
24 way with immigration legal nonprofits under contract,
25 and so MOIA, as always, leads our community-rooted

2 immigration legal services work, and the
3 Administration invested \$5 million dollars in that
4 with the Asylum-seeker Legal Assistance Network. And
5 so the TPS asylum application filing continues to
6 happen under that program, as well as information and
7 education around these forms of relief, full
8 screenings, and referrals to the appropriate legal
9 service provider. And so the Haitian Response
10 Initiative as well has been working hard to file TPS
11 applications for Haitians under the new re-
12 designation, and so that work continues. As
13 Commissioner Castro mentioned, the balance of
14 continuing to invest in community-rooted immigration
15 legal services with our nonprofit partners together
16 with the high-volume, high-quality operation
17 established in the Application Help Center I think
18 really does show that the Administration is taking
19 innovative approaches to addressing this issue while
20 also investing in the longer term.

21 CHAIRPERSON HANIF: That's helpful to
22 know, and now keeping that in mind, how does that--
23 how does that pair with the 30/60-day rule? How are
24 the legal services impacted by these directives?

2 COMMISSIONER CASTRO: I'll let both Tom
3 and Masha speak to that, because we-- I think both
4 the Help Center and our ASLAN [sic] partners do a lot
5 of great work. With respect to address changes and
6 supporting these populations, I also want to add that
7 we also have to consult with our H+H partners. My
8 understanding is that a lot of this work is also
9 happening at the Arrival Center and elsewhere in the
10 system. So both of the work that is happening, you
11 know, with ASLAN and the Help Center is complemented
12 in addition to what's going on with H+H, but I'll
13 have to consult with our colleagues there. Tom, do
14 you want to just-- or Masha, you want to start?

15 EXECUTIVE DIRECTOR GINDLER: Yeah, so
16 for-- just to answer your specific question about
17 whether we do change of address, change of venue
18 forms, we absolutely do. So anyone that filed with
19 us that has changed address can come and we'll file a
20 change of address form for them. We also, when we
21 check out a client at the end of their mailing period
22 counsel them on the importance of them also knowing
23 to proactively ask for them to have their address
24 change, because that's piece of education that
25 sometime is important. They can be forgiven for that

2 not knowing that's a key step for them to take. And
3 we provide them with the form and concrete
4 instructions about how to do that in the event that
5 they, you know, move out of the city or out of the
6 state, because some of these folks are moving out and
7 we want to make sure they still have the advantage of
8 the application we did for them. So we definitely do
9 that counseling. I also want to take this moment to
10 say that if it was possible for us to file these
11 online where people can receive their notices through
12 email the way most of us tend to communicate these
13 days, a lot of these problems would go away. And I
14 think all of us can speak to receiving mail via email
15 more likely than the physical addresses.

16 COMMISSIONER CASTRO: And before I hand
17 it over to Tom, this is-- thank you for the question,
18 because this is-- has been a special concern of ours
19 since the beginning. As you know, people were
20 arriving to New York City who had other intended
21 destinations, and they were arriving here, and so the
22 first work that we began doing with asylum-seekers is
23 changing of addresses, but no we're seeing asylum-
24 seekers come from other parts of the country. seems
25 like there's a network of support or even other

2 cities and localities putting people on planes or,
3 you know, on their way here, and so that creates more
4 of an issue, and so this is one of our pieces of
5 advocacy with the Federal Government to approve how
6 we, you know, go about this.

7 CHAIRPERSON HANIF: So, just to build on,
8 Masha, your response, is there separate data that is
9 cognizant of folks who are reaching their 30-day cap
10 or the 60-day cap? Are they being prioritized for
11 these appointments? How are you making-- how are you
12 distinguishing these clients?

13 EXECUTIVE DIRECTOR GINDLER: so,
14 individuals that have been given a 30 or 60-day
15 notice are offered an appointment at our clinic to
16 come in and do either, you know, TPS or asylum.

17 CHAIRPERSON HANIF: And that what address
18 are they putting on their application?

19 EXECUTIVE DIRECTOR GINDLER: So,
20 anecdotally, a lot of them have an idea about where
21 they're going to be, and so we put that address about
22 where they're moving to. In some instances we
23 continue with the shelter they're at, knowing that
24 their mail will be held for 30 days at that emergency
25 site, and we're looking into options about how we can

2 be sure to connect individuals with federal mail in a
3 legal way.

4 CHAIRPERSON HANIF: So right now that
5 part doesn't exist? That connecting to the more
6 substantive address, more reliable address.

7 EXECUTIVE DIRECTOR GINDLER: Right,
8 because there's some laws that determine us not being
9 able to move mail once it's arrived at the location
10 it was supposed to arrive. I believe there's
11 consents we're looking into to be able to have
12 clients consent to us moving their mail from the
13 shelter to wherever they might be, but at the moment,
14 we're looking into it and exploring that option.

15 CHAIRPERSON HANIF: So, just to get this
16 clarified-- right now, for those who are reaching
17 their 30-day, 60-day cap, they can put the address of
18 the shelter they're about to exit.

19 EXECUTIVE DIRECTOR GINDLER: Right.

20 CHAIRPERSON HANIF: Because they have a
21 30-day window in being able to use that address, but
22 then what happens after?

23 EXECUTIVE DIRECTOR GINDLER: So, if they-
24 - afterwards, they're able to come back-- if they
25 were to move to a different location, they're able to

2 come back to us, let us know where they are now
3 receiving mail, and we'll do a change of address form
4 for them.

5 CHAIRPERSON HANIF: So, are they receiving
6 this instruction in a written notice? Is it verbally
7 communicated with folks? How is-- I mean, this seems
8 to-- this seems-- this adds to the reason why I feel
9 that the 30/60-day directives are harmful and creates
10 deeper precarity for asylum-seekers. I would love to
11 know the extent to which you all are communicating
12 this so that folks understand just procedurally what
13 to expect.

14 EXECUTIVE DIRECTOR GINDLER: I'm confident
15 that with the counseling we do at the end of our
16 appointments, folks understand that they need to let
17 the Federal Government know where they live or else
18 they will miss important mail. I'm confident that
19 all of our clients can come back to us physically and
20 get that service, and we'll change their address
21 wherever they now reside. And I think that the next
22 area for us to work through is for mail that is
23 clearly from the Federal Government that's being held
24 more than 30-- you know, that would be there at the
25 30-day mark at these shelters, and we're very

2 interested in finding legal ways for us to-- you
3 know, we're able to see who it's addressed to, to
4 connect them to that individual. I think that we
5 will be able to circle back very soon on what the
6 solution would be.

7 CHAIRPERSON HANIF: I'm very alarmed by
8 this process, as I'm sure folks in the room are too.
9 Do you acknowledge that the policy of evicting people
10 from shelter makes asylum, TPS, work permit filings
11 more difficult?

12 COMMISSIONER CASTRO: So, I just want to
13 give an opportunity for Tom to--

14 CHAIRPERSON HANIF: [interposing] Could
15 you just answer this question then we'd love to hear
16 from Tom.

17 COMMISSIONER CASTRO: So, again, I think,
18 you know, we're working through the challenges as
19 Masha, you know, explained. I think this is why
20 we're setting up an infrastructure to be able to
21 support asylum-seekers as much as possible, which is
22 what our role is. About half of the people who are
23 now returning, you know, we'll be able to provide
24 their next destination. Those who are going back to

2 our arrival center to apply for new placement will be
3 able to put their new addresses onto those forms.

4 CHAIRPERSON HANIF: So, just to clarify
5 again, nothing that-- nothing physical is being
6 distributed to inform applicants of the procedural
7 impacts of precarious address changes?

8 EXECUTIVE DIRECTOR GINDLER: You're
9 right, and the answer that point, and I'm happy to
10 now, we do give physical documentation about what the
11 change of address form is, why it's important to fill
12 it out and how to fill out, along with a copy of the
13 form. So that is part of the package that our
14 clients leave with.

15 CHAIRPERSON HANIF: Okay. I'd like to
16 turn it over to my colleagues for questions. Council
17 Member De La Rosa.

18 COUNCIL MEMBER DE LA ROSA: thank you,
19 Chair Hanif. Hello, Commissioner and team. Thank
20 you for being here today. I have a question about
21 the staffing, and I know that Chair Hanif asked a
22 little bit about the processing of the asylum
23 applications and how much staff is there. Your
24 office, like every other agency in the City is going
25 to be subject to this 15 percent PEG. Do you foresee

2 and impact in your staffing levels in terms of the
3 staff you need in order to continue to serve asylum-
4 seekers.

5 COMMISSIONER CASTRO: Well, the staffing
6 at the Help Center will not be impacted by the PEG,
7 as it's not funded through the-- the funding that
8 will be impacted by the PEG. But let me hand it over
9 to Masha to explain that a little further.

10 EXECUTIVE DIRECTOR GINDLER: Yeah, we're
11 currently funded with a generous grant from the state
12 funds, and that is not subject to PEGs.

13 COUNCIL MEMBER DE LA ROSA: Okay. So all
14 the staff that is now processing asylum applications,
15 TPS applications as well, it's--

16 EXECUTIVE DIRECTOR GINDLER: [interposing]
17 Yes, exactly.

18 COUNCIL MEMBER DE LA ROSA: funded
19 through the state? Okay.

20 EXECUTIVE DIRECTOR GINDLER: Yeah.

21 COUNCIL MEMBER DE LA ROSA: That's great
22 news. And then with the 30 and 60 day rule, one of
23 the questions that I have is would this change for
24 30-days? Will you foresee a processing delay, that
25 is the staff that is processing or re-processing

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2 asylum-seekers back into the system. So if a family
3 is- you know, the 30 days hits and they have to leave
4 the shelter. They have to reprocess back in if they
5 have nowhere to go. Are you foreseeing a delay in
6 processing time, given that the case load is going to
7 go up because of the reprocessing I'm imagining?

8 EXECUTIVE DIRECTOR GINDLER: I would say
9 so. I can't speak to the processing time at the
10 Arrival Center run by Health + Hospitals. I don't
11 foresee that changing our processing time at the
12 Asylum and Application Help Center. Our capacities
13 will still stay the same.

14 COUNCIL MEMBER DE LA ROSA: Okay. And in
15 terms of the legal services that you're providing,
16 when a person goes to the Roosevelt Hotel, are you
17 kind of screening them for what legal services they
18 need?

19 EXECUTIVE DIRECTOR GINDLER: We are doing
20 a backward-looking assessment with all the
21 individuals currently in our care, and we're standing
22 up exactly that, a screening service at the Arrival
23 Center to immediately be able to schedule people for
24 the appropriate appointment.

25

2 COUNCIL MEMBER DE LA ROSA: Great. Can
3 you repeat which agencies are kind of leading the
4 work around legal services? So you said H+H?

5 EXECUTIVE DIRECTOR GINDLER: No, what I
6 was talking about was the Arrival Center, just the
7 Arrival Center itself.

8 COUNCIL MEMBER DE LA ROSA: Okay.

9 EXECUTIVE DIRECTOR GINDLER: Processing
10 families coming in and finding shelter is run by
11 Health + Hospitals.

12 COUNCIL MEMBER DE LA ROSA: And what
13 other agencies are involved in the legal services
14 piece for asylum-seekers?

15 COMMISSIONER CASTRO: Well, with respect
16 to the Help Center, you know, we had to set up an
17 infrastructure so that it's a dedicated space to
18 provide this pro-se model of assistance, and like I
19 said before, it was important to set up a structure
20 like this in large part because then people have a
21 place to come back to, right, for changes of
22 addresses and so on. But what I was referring to
23 earlier with Tom in the ASLAN network, the Asylum-
24 seekers Legal Assistance Network, I think that is
25 also an effort to set up an infrastructure and suppor

2 those organization, community-based legal providers
3 doing really critical work on the ground where
4 asylum-seekers can connect to have an ongoing
5 relationship with a community and developing the
6 availability of legal providers with our partnership
7 with CUNY. Do you want to talk about it, Tom?

8 EXECUTIVE DIRECTOR TORTORICI: Sure.

9 Thanks, Commissioner. I think it's important to note
10 that the City every year invests \$65 million dollars
11 in immigration legal services citywide, and those
12 nonprofits that have been carrying out that work for
13 years continue to serve both asylum-seekers and long-
14 residing New Yorkers. and so individuals that are
15 not served at the Help Center may very well be and
16 are being served by our partners throughout the field
17 at community-based organizations where folks have the
18 linguist cultural competency to provide effective
19 service in the neighborhood in which folks live, as
20 well as together with citywide immigration legal
21 service providers that work in various community
22 sites and institutions such as hospitals, libraries,
23 and schools.

24 COUNCIL MEMBER DE LA ROSA: Okay, I guess
25 I just wanted to-- sorry, Chair. Just to go over,

2 but I just wanted to understand. So I know that
3 there's the Office of Asylum-seeker Operations.
4 There's the Mayor's Office of Immigrant Affairs.
5 There's Health + Hospitals. Are there any other
6 mayoral agencies or school or offices that are
7 involved, and then what's the coordination between
8 all of these entities. That was my question.

9 EXECUTIVE DIRECTOR TORTORICI: It's a
10 great question. So, the Asylum Application Help
11 Center is housed under the Office of Asylum-Seeker
12 Operations. Masha and her team run that. MOIA
13 oversees contracts under ActionNYC, the Haitian
14 Response Initiative, the Asylum-seeker Legal
15 Assistance Network; it's approximately \$15 million in
16 programming. The largest holder of immigration legal
17 service contracts is HRA, and Immigrant Opportunities
18 Initiative is administered by the Office of Civil
19 Justice within HRA.

20 COMMISSIONER CASTRO: And again, you
21 know, this is a mix. We had to figure out a mix of
22 approaches here, right, because of the current
23 crisis, but I continue to emphasize the importance of
24 building up the infrastructure. Again, because
25 things continue to change. TPS, we're glad that it

2 happened, but it might continue-- things might
3 continue to change if other communities are ported
4 [sic] at DPS and we see other policy changes at the
5 federal level.

6 COUNCIL MEMBER JOSEPH: Thank you, chair.
7 Thank you. Good morning, Commissioner, always good
8 to see you. At the Asylum Application Help Center,
9 how many centers do you have altogether? Is it
10 spread out through the City or is it one location?

11 EXECUTIVE DIRECTOR GINDLER: Right now,
12 we are one location in Midtown and we're looking to
13 opening up satellites very quickly to handle the
14 influx of TPS applications.

15 COUNCIL MEMBER JOSEPH: How long does it
16 take for someone to get an appointment?

17 EXECUTIVE DIRECTOR GINDLER: It depends
18 how they were to get an appointment. Right now, the
19 best way to get an appointment is talk to shelter
20 staff.

21 COUNCIL MEMBER JOSEPH: And what if you're
22 not in a shelter, how does that work?

23 EXECUTIVE DIRECTOR GINDLER: Right now, we
24 are only serving individuals that are in shelter.

2 COUNCIL MEMBER JOSEPH: So how many have
3 you processed so far?

4 EXECUTIVE DIRECTOR GINDLER: 5,600.

5 COUNCIL MEMBER JOSEPH: And what's the
6 goal? Because I know for TPS there's about 500,000
7 eligible Venezuelans for TPS, and others.

8 EXECUTIVE DIRECTOR GINDLER: Right, so
9 when we first started, we were focusing on asylum,
10 our goal was to do 6,000 asylum applications. We
11 still want to hit that goal. I think we'll surpass
12 that. Now that TPS is on the horizon, we are-- our
13 goal is to identify, screen, and make appointments
14 for every eligible Venezuelan in our care by the end
15 of the year.

16 COUNCIL MEMBER JOSEPH: Are they allowed
17 to walk in for appointments?

18 EXECUTIVE DIRECTOR GINDLER: Walk-in
19 appointments are only available for people that want
20 to file for asylum that had their one-year coming up.
21 We don't currently have walk-in appointments for
22 other resources.

23 COUNCIL MEMBER JOSEPH: This is just for
24 current TPS holders?

2 EXECUTIVE DIRECTOR GINDLER: No, this is
3 just to-- basically, if you had-- if you're coming up
4 on your one-year of being in the country-- so you're
5 at risk of being ineligible for asylum-- we will
6 accept you as a walk-in to walk through your-- both
7 asylum and TPS and work authorization options, but
8 that is the only group for whom walk-ins are
9 available right now.

10 COUNCIL MEMBER JOSEPH: What information
11 does individuals have to give when they make an
12 appointment?

13 EXECUTIVE DIRECTOR GINDLER: So, when
14 they make an appointment, we will ask for their name
15 and contact information. We ask for what language
16 they speak so we can be prepared, and we ask for
17 their address to verify that they are living in
18 shelter. They can also provide their G number in
19 lieu of that, but we just need some confirmation that
20 they're currently living in shelter.

21 COUNCIL MEMBER JOSEPH: Are you
22 prioritizing any group over the other?

23 EXECUTIVE DIRECTOR GINDLER: We started
24 prioritizing families with children. When we first
25 launched we called all the families with children in

2 our care about three times before we opened it up
3 broader. Now, we are also going to prioritize
4 Venezuelans.

5 COUNCIL MEMBER JOSEPH: And the asylum-
6 seekers we have living upstate, do they also qualify
7 for this?

8 EXECUTIVE DIRECTOR GINDLER: They do. We
9 received a good number of them already that were
10 bused to be able to have these appointments, but I do
11 have to get back to you on the exact number.

12 COUNCIL MEMBER JOSEPH: And with the 30/60
13 day rule, how does that impact asylum-seekers, TPS
14 recipients? Because you need a physical address to
15 get your mail so they don't--

16 EXECUTIVE DIRECTOR GINDLER: [interposing]
17 Right.

18 COUNCIL MEMBER JOSEPH: How's that
19 working? Let me know how you're figuring this out
20 while we figure this out as well.

21 EXECUTIVE DIRECTOR GINDLER: Yes. Yes.
22 I mean I'll take every opportunity to say, if the
23 federal government allows us to do this online via
24 email, then that problem would be solved. In the
25 meantime, all of our clients, if they move can come

2 back to the center as a walk-in and get a change of
3 address or change of venue form done for them so that
4 they can receive mail at wherever they currently
5 reside at that point.

6 COUNCIL MEMBER JOSEPH: So every 30 days
7 or every 60 days they must come see you. Well, just
8 make it make sense for me. That's what I'm trying to
9 figure it out here.

10 EXECUTIVE DIRECTOR GINDLER: I understand
11 the challenge. We're trying-- it's important for us
12 that these folks get their mail, because what is our
13 work for if they don't? I agree. So the steps that
14 we're taking. We're holding mail at the shelters
15 currently for 30 days after someone leaves. Two, we
16 are doing change of address, change of motion forms.
17 Three, we're giving detailed instructions about how
18 to fill out these forms, and examples of these forms
19 to every client that checks out with us, because you
20 know, some folks are success stories that are leaving
21 shelter of their own ability but they still need to
22 receive their mail. They just didn't know how to do
23 this, either before the 30-day/60-day shelters. And
24 we're continuing to advocate for the ability for us
25 to file online so that individuals can get their

2 notices from the Federal Government online like we
3 all get our notices from all, you know, interactions
4 we have with government.

5 COUNCIL MEMBER JOSEPH: Chair, can I ask
6 one more question? And what are some of the
7 challenges you're facing at these centers right now?

8 EXECUTIVE DIRECTOR GINDLER: So, there's
9 a couple of challenges, of course. One is, you know,
10 we want to make sure that we're scheduling in such a
11 way that there's not long wait periods in the waiting
12 room, but that every application assistant is always
13 busy. But these folks are coming from all over the
14 city and so it's hard to track that perfectly. So
15 we're always thinking about ways to improve that.
16 The second challenge we're having is this is very
17 hard work. So especially for asylum applications.
18 Our staff are hearing really hard stories day-in and
19 day-out. The clients are sharing really hard stories
20 day-in and day-out. We have a mental health
21 clinician on site to deal with most of--

22 COUNCIL MEMBER JOSEPH: [interposing]
23 That was going to be my next question, okay.

24 EXECUTIVE DIRECTOR GINDLER: And I think
25 that helps, of course, but what I'm always wondering

2 is, you know, how long can people hear these stories?
3 How long can people stay motivated? We have an
4 incredible staff right now. I don't know how we got
5 so lucky, but their mental health is important,
6 obviously, to us.

7 COUNCIL MEMBER JOSEPH: How many staffers
8 do you have?

9 EXECUTIVE DIRECTOR GINDLER: We have
10 around 75 asylum application assistants at any given
11 day, and around 20 immigration attorneys at any given
12 day.

13 COUNCIL MEMBER JOSEPH: How many clients
14 do you see per day?

15 EXECUTIVE DIRECTOR GINDLER: We see-- we
16 book 150 appointments. Sometimes that represents one
17 client. Sometimes it represents a family, so
18 effectively, three, four clients. And we-- so in
19 terms of the number of humans that come through our
20 hallways day-in and day-out, probably 200.

21 COUNCIL MEMBER JOSEPH: Thank you.

22 COMMISSIONER CASTRO: Masha, can you
23 speak about language access? I know I'm not supposed
24 to be asking the questions, but I'm--

EXECUTIVE DIRECTOR GINDLER:

[interposing] [inaudible]

COMMISSIONER CASTRO: I'm proud about

this.

CHAIRPERSON HANIF: Sure.

COMMISSIONER CASTRO: I think I want to

highlight that for the Council.

EXECUTIVE DIRECTOR GINDLER: Yeah. So an important part of our process is language access and informed consent. People's legal options are going to be affected by what they do with us. They have to understand what they're consenting to. Everyone gets service in their preferred language. We look 10 days ahead to see what appointments are coming, and we schedule in-person interpretation to meet every language need, and we recently-- when we call people back to confirm their appointment, we start double-checking their language, because what we found is some folks from West African countries report that they speak French, because they believe that that's a more-- a language they're more likely to get--

CHAIRPERSON HANIF: [interposing]

Absolutely.

EXECUTIVE DIRECTOR GINDLER:

interpretation [sic] for. And so now we've learned
that we have to really let them know that they can
tell us what language they prefer and we'll find it.

COUNCIL MEMBER JOSEPH: their dialect--

EXECUTIVE DIRECTOR GINDLER: Yeah.

COUNCIL MEMBER JOSEPH: Correct, correct,
correct. So how many languages do you have on-site
since you wanted to ask the question? How many
languages do you have on-site?

EXECUTIVE DIRECTOR GINDLER: So, you
know, any given day probably it varies up to 10. We
have never had a client whose language we could not
accommodate so far.

COUNCIL MEMBER JOSEPH: What's the
dominant language you get?

EXECUTIVE DIRECTOR GINDLER: Spanish,
Haitian, Creole were the tops ones. We had a moment
where we had a lot of Hungarians. Wolof is very
popular.

COUNCIL MEMBER JOSEPH: That's from
Senegal. That's West Africa.

EXECUTIVE DIRECTOR GINDLER: Yeah. French
is popular, too. But then there's a lot of dialects

2 from West Africa that we are now accommodating. And
3 Venezuelan sign language was on the ones we--

4 COMMISSIONER CASTRO: [interposing] Yeah,
5 Venezuelan sign language.

6 COUNCIL MEMBER JOSEPH: Sign language,
7 very good.

8 COMMISSIONER CASTRO: Specific to
9 Venezuela, right? Yes.

10 COUNCIL MEMBER JOSEPH: Thank you so
11 much, Chair. Thank you.

12 CHAIRPERSON HANIF: Thank you. So I know
13 during my colleagues' questioning we learned that
14 folks not in shelters can't get appointments.

15 EXECUTIVE DIRECTOR GINDLER: Right. So
16 right now our clients-- we're focusing on those that
17 are in our care.

18 CHAIRPERSON HANIF: Okay. And so then
19 everyone else still has access to ActionNYC.

20 COMMISSIONER CASTRO: Correct.

21 CHAIRPERSON HANIF: Could you talk a
22 little bit more about--

23 COMMISSIONER CASTRO: [interposing] ASLAN.

24 CHAIRPERSON HANIF: renewed outreach and
25 community engagement about the agency's services?

2 EXECUTIVE DIRECTOR TORTORICI: Sure. So,
3 the broader field of immigration legal service
4 providers are serving newly-arrived asylum-seekers
5 both in shelter and not in shelter. We have invested
6 as part of ASLAN in the ActionNYC hotline to expand
7 its ability to receive higher call volumes. They've
8 received more than 40 percent increase in call volume
9 since before the influx of newly-arrived asylum-
10 seekers and longer call times so they can help people
11 talk through their paperwork and orient them to their
12 case. And so we promote the ActionNYC hotline
13 through the shelter system and through our community-
14 based organizations and immigrant rights workshops
15 and other presentations, also online and through
16 social media. We also created fliers for the Asylum-
17 Seekers Legal Assistance Network listing the various
18 points of entry. What Commissioner Castro and MOIA
19 have done really is establish a broad set of points
20 of entry because folks are distributed all around the
21 City and capacity is a challenge as well among our
22 providers, and so trying to ensure that folks can
23 access not only application assistance, but also
24 self-help information so that they can take control

2 of their own case where legal assistance isn't
3 available.

4 CHAIRPERSON HANIF: Thank you, Tom. I'm
5 really grateful, Masha, that you're here, your
6 presence is greatly appreciated. The-- we've been
7 looking forward to having OASO [sic] present and so
8 because you're here I'd like to ask some broader
9 questions, because we've been waiting for the last
10 six months to get to know OASO. So could you
11 describe what the work of the office has entailed
12 since its creation in March?

13 EXECUTIVE DIRECTOR GINDLER: Yeah. So,
14 like during many citywide emergencies, an office was
15 stood up to help coordinate efforts across the city
16 to address challenges faced by, you know, the city
17 during this crisis. So OASO does just that. They
18 coordinate for-- across agencies to address housing,
19 schooling, legal service help, other types of help,
20 assistances to ensure that all the agencies are
21 working together to address the crisis.

22 CHAIRPERSON HANIF: And specifically the
23 asylum-seeker influx.

24 EXECUTIVE DIRECTOR GINDLER: Exactly.
25 Could you describe the staffing structure?

2 EXECUTIVE DIRECTOR GINDLER: I can talk
3 about my unit, because that's the one I'm most
4 familiar with. I know that the broader OASO team is
5 currently hiring so it'd be best for me to circle
6 back with you will all the positions that they
7 currently have filled and which ones are not yet
8 filled. But as you know for us, we have our crew of
9 75 application assistants and 20 immigration
10 attorneys.

11 CHAIRPERSON HANIF: And then how many
12 units? Could you give just a skeletal sketch of the
13 agency?

14 EXECUTIVE DIRECTOR GINDLER: I can't at
15 this time, but I'll-- I just don't want to misspeak,
16 but I'll circle back.

17 CHAIRPERSON HANIF: And then just to
18 clarify on the function or the differences between
19 OASO and MOIA, could you walk us through that?

20 COMMISSIONER CASTRO: Well, as Masha
21 explained, OASO was set up to address this specific
22 crisis with asylum-seekers arriving to our city. We
23 work in a very highly collaborative manner. For
24 instance, MOIA at the outset had anywhere between 14
25 and 15 operational staff at the Help Center to help

2 establish it. As OASO grows, they've taken over more
3 of a-- of that operational role, and really that's
4 what MOIA is set up to do. You know, we deploy our
5 staff wherever we are needed, and then with instances
6 such as these where the crisis of great magnitude, an
7 office is set up to manage these ongoing efforts. But
8 for instance, with respect to language access which
9 is a special interest of MOIA's-- we have oversight
10 over language access citywide. This was something
11 that we wanted to pay special attention to at the
12 Help Center and elsewhere where OASO's doing their
13 great work. So we work in a very highly
14 collaborative manner, but the operations part of this
15 crisis is being managed by OASO.

16 EXECUTIVE DIRECTOR GINDLER: And I'd also
17 just add, if I may, that there's-- you know, the work
18 you guys do is for all the immigrants that are
19 currently in our city and that still need resources
20 even before this influx of migration, because there's
21 still humans that need work and you guys do that day-
22 in and day-out, and we just have a special focus on
23 the crisis element of the asylum-seekers influx right
24 now.

2 COMMISSIONER CASTRO: Thank you, Masha.

3 You know, this is something we discuss with the
4 committee often, and it's something to keep to
5 reminding us of that prior to this wave of asylum-
6 seekers we've had in our city, hundreds of thousands
7 of undocumented immigrants, for instance, all of whom
8 need support and advocacy. And so that work
9 continues and is something that I pay special care to
10 because I hear from them when I visit their
11 communities. They're often asking us, well, what
12 about us, right? Why just a new arrival-- I'm sure
13 you all hear it in your districts. So our office is
14 working through those challenges that we often hear
15 from longer term migrants, and so we set up ASLAN,
16 and I continue to highlight ASLAN because this work
17 needs to continue to happen. The building out the
18 infrastructure in the field with our nonprofit
19 partners and now with CUNY so that we're also looking
20 at the medium to long-term work that we're going to
21 have to do in the coming years.

22 CHAIRPERSON HANIF: Thank you. And
23 Masha, I understand from your response that there are
24 several units and still in progress of this office

2 being built out. How do you see the-- how do you see
3 the office's relationship to the Council?

4 EXECUTIVE DIRECTOR GINDLER: Oh, my
5 goodness. I don't know how to answer that. I know I
6 studied hard to be here today, and that is all I can
7 probably say.

8 CHAIRPERSON HANIF: That's great, because
9 we're hoping that a commitment could be made for OASO
10 to join our hearings in the Immigration Committee,
11 and we've also been figuring out if this committee
12 has oversight over OASO. We don't want it to be a
13 pseudo office that exists that isn't coming before
14 the council, and so it is really meaningful to us
15 that you are here. I want to acknowledge that we've
16 been joined by Council Member Krishnan. I want to
17 turn to some questions about Commissioner Castro,
18 your recent trip to Central South America. On
19 October 3rd, Mayor Adams took a partially tax payer-
20 funded trip through several countries in Central and
21 South America in an attempt to discourage asylum-
22 seekers from coming to New York City. And although
23 fact-finding missions have a time and place, New
24 Yorkers really needed their mayor here helping our
25 city coordinate a response to new arrivals.

2 Commissioner, could you share what the trip
3 accomplished for New Yorkers? Will there be a report
4 out, or lessons learned, questions that you've come
5 back with? We'd love to just hear how the trip went.

6 COMMISSIONER CASTRO: You know, while I
7 think the trip was incredibly impactful, I have to
8 say to be able to retrace really the journey of so
9 many newly-arrived immigrants, New Yorkers, for me
10 was important. I know that it really moved the Mayor,
11 myself and everyone that went on this trip. There
12 will be more follow-up. The Mayor has said that
13 there will be more information coming out from-- as a
14 result of this trip. Three things that the Mayor has
15 said and we've said about the trip, we wanted to
16 speak not just to the-- some of the asylum-seekers
17 who were on their route here, on their journey here,
18 but specifically to the local press to talk about,
19 you know, some of the misinformation that we were
20 hearing or rather some of the exaggerated information
21 that we're hearing or we're seeing spread through
22 social media and elsewhere about what migrants will
23 find upon arriving to New York City or even the
24 United States. Something to really know is that
25 smuggler rings or people who have turned this into

2 business ventures are directing people to New York
3 along the journey and they're marketing this journey
4 to people who are led to believe there will be things
5 here that might not be available to them. And so
6 people are going on this incredibly risky journey,
7 especially through the Darien Gap, because of these
8 marketing schemes. And so we wanted to communicate
9 some of the realities that people are facing here in
10 New York and in the United States through local
11 press. We spoke to a lot of local press while we
12 were there. We also, I think most importantly, we
13 wanted to have a direct relationship with people also
14 grappling with some of the challenges of welcoming so
15 many newly-arrived immigrants along the journey. So
16 whether it's Mexico City, Kito [sic], or Bogota, a
17 lot of people are working on this issue in the region
18 which was for me incredibly insightful. We've been
19 saying this is a national issue. We can't possibly--
20 New York City cannot do this alone, but it really is
21 an international issue. We're in a completely new
22 era of mass migration which we all have to really
23 acknowledge and say, well, what are we-- how do we
24 address this at the federal, international and local
25 levels? And I think there's a role that we all must

2 play, and that's sort of part of the fact-finding. I
3 think understanding who are the key players and
4 stakeholders, sometimes you can only do that in
5 person in having these conversations. And we heard
6 from not just the federal, local government in these
7 countries but also a civil society. So one of the
8 most moving meetings we had was with a nun who runs a
9 nonprofit in Mexico City who was speaking about her
10 shelter having capacity for about 100 people, but
11 right now she had about 1,000 people waiting outside
12 for placement. Because Mexico City, like New York
13 City, is seeing waves and waves of migrants, of
14 asylum-seekers coming through that city and they just
15 don't have the capacity to serve everyone. And so we
16 kept hearing a lot of the same challenges we're
17 facing here elsewhere, and I think that is going to
18 be really helpful for us in seeing how we can work
19 together with these other cities and other
20 localities, but how we understand this issue as not
21 just a local issue that we have to address, but a
22 really international issue.

23 CHAIRPERSON HANIF: I agree that our city
24 has a particular and unique responsibility in
25 connecting this issue transnationally, and so I'm

2 glad to learn that. However, could you just speak to
3 the talking points or the conversations that you all
4 were influencing or having with these organizations?
5 Was it to dissuade people from coming to our city,
6 and/or with the press, what did you want to
7 demonstrate as happening in New York City to the
8 press there? And again, will there be a report that
9 is released or distributed to New Yorkers to better
10 understand what was accomplished from this trip?

11 COMMISSIONER CASTRO: So, you know, I
12 went along the trip with the Mayor and the
13 International Affairs team, and it really will be the
14 purview of the International Affairs Office to issue
15 a follow-up report or presentation. But I do have to
16 say that a lot-- the emphasis on us going there to
17 say-- to dissuade people, I think was just--
18 reported, but it was a surprise to me, because it was
19 not the intended purpose of the trip, you know, and I
20 think what I had said and what we had said leading up
21 to the trip is the need to clarify the misinformation
22 that we kept hearing from asylum-seekers here that
23 was being shared with them throughout the journey.
24 And so for instance, many asylum-seekers arrived in
25 New York or to United States thinking that they would

2 be embraced as asylum-- you know, asylees. They
3 didn't realize that they would need to apply for
4 asylum, right, and that they would not have work
5 permits available to them from the start, that they
6 would have to figure out how to live in the United
7 States without work authorization for many months or
8 even years. And so a lot of that is not communicated
9 to people on their journey here, and so we wanted to
10 make sure that people understood that this is not
11 within our purview, within the City's purview. This
12 is a federal issue, and so when they arrive here,
13 they may not get everything that they were promised
14 along the journey, which often we hear from asylum-
15 seekers say here, we were promised X, Y, Z. So we
16 just wanted to be completely honest. We also did
17 want to say that, you know, because this humanitarian
18 crisis for us was very unexpected. You know, we
19 continue to struggle to find placement for people as
20 they arrive. I mean, we continue to break records,
21 and we wanted to be very honest with asylum-seekers
22 that unlike what they've been hearing along their
23 journey, they're not guaranteed a hotel room, right?
24 Part of this, and I've said this in many interviews,
25 is the advent of social media. There are TikTokers

2 [sic] who are asylum-seekers who are staying within
3 our care in a hotel that they might communicate to
4 others, hey, this is where I was put up, right, upon
5 arrival. Well, that's not-- that's not guaranteed
6 for everyone that's on their journey.

7 CHAIRPERSON HANIF: I mean, and you're
8 saying-- I mean, what I'm hearing from you as you
9 share this is sounding like, you know, one or two
10 people have had an influence over the mass migration
11 that New York City is witnessing, and it feels really
12 strange to hear that the Mayor and several of the
13 offices took a trip to Central South America to lay
14 out information about actually we don't have enough
15 placements, or actually what you're hearing about
16 these benefits or the sanctuary safety operations or
17 resources you will receive is actually untrue. And
18 if I'm hearing that correctly, it feels like a very
19 disingenuous trip to take during this time.

20 COMMISSIONER CASTRO: Well, like I said,
21 you know, it's explaining the reality that we're
22 facing in New York, because people are making their
23 way here believing that we can do a lot for them, and
24 again, we're-- you know, we have to manage
25 expectations and--

2 CHAIRPERSON HANIF: [interposing] What was
3 the cost of this trip to tax payers?

4 COMMISSIONER CASTRO: Well, I think the
5 Mayor's Office will have to get back to you on the
6 cost. As was reported, I paid for my own trip to get
7 there, so did the Mayor.

8 CHAIRPERSON HANIF: Paid as in it wasn't
9 part of the Office's--

10 COMMISSIONER CASTRO: [interposing]
11 Budget, yes.

12 CHAIRPERSON HANIF: budget. It was a part
13 of the offices budget to take-- no, it wasn't. So it
14 was everyone who went to this trip, everything was
15 paid from personal expenses?

16 COMMISSIONER CASTRO: Yes, I paid my trip
17 and hotel stays there, yeah.

18 CHAIRPERSON HANIF: And then but you're
19 suggesting that we can get information about how much
20 the trip cost in totality?

21 COMMISSIONER CASTRO: Yeah, you'll have
22 to follow up with City Hall about that.

23 CHAIRPERSON HANIF: And then is
24 deteriorating conditions for asylum-seekers part of

2 an intentional strategy from the Administration to
3 dissuade people from coming to New York City?

4 COMMISSIONER CASTRO: No. I mean, again,
5 we're trying to do our best to support the record
6 number of people that are arriving. And yes, like I
7 said earlier, they were-- everyone working and
8 involved in this effort is making miracles happen. I
9 mean, we're seeing hundreds of people arrive each
10 day. We have to figure out placement for all of
11 them. And that is an incredible challenge, and
12 we've been very honest, it's a strain on all of our
13 systems.

14 CHAIRPERSON HANIF: Could you share the
15 duration of the contract at the Red Cross Center?
16 How long is the contract?

17 EXECUTIVE DIRECTOR GINDLER: So, the
18 contract [inaudible] space the Red Cross Center will
19 access until the end of June 2024.

20 CHAIRPERSON HANIF: Okay. Turning to
21 ActionNYC and IOI, when will the Administration
22 reissue the RFPs for ActionNYC and IOI?

23 COMMISSIONER CASTRO: Tom, you want to
24 take?

2 EXECUTIVE DIRECTOR TORTORICI: sure.

3 Thank you. So, ActionNYC, the next step in the
4 procurement process will be the issuance of a concept
5 paper. That will be in the coming weeks. The public
6 including nonprofit providers will be able to submit
7 feedback and questions that will be addressed at a
8 public hearing as well as in written form, and
9 that'll happen over the coming months. We anticipate
10 that new contracts under this new procurement will
11 begin January 1st, 2025. With respect to IOI, I
12 don't have information about the current status of
13 that RFP, but we can get back to you after talking
14 with OCJ.

15 CHAIRPERSON HANIF: Okay, thank you for
16 that. In August, Secretary Mayorkas sent the
17 Administration a letter that included a number of
18 recommendations, and I've asked to review those
19 recommendations a number of times, but the
20 Administration has not shared them with me or our
21 committee. Could you summarize what was in that
22 letter and commit to sharing it with the committee
23 following this hearing?

24 COMMISSIONER CASTRO: Well, I think we've
25 responded to some of the items in that letter. We'll

2 have to follow up with our official response from
3 City Hall. Many--

4 CHAIRPERSON HANIF: [interposing] Are you
5 able to share the recommendations?

6 COMMISSIONER CASTRO: of which are not
7 under the purview of MOIA, so I really can't speak to
8 them. They're really about information sharing, my
9 understanding.

10 CHAIRPERSON HANIF: Who is it under the
11 purview of?

12 COMMISSIONER CASTRO: It's a multi-
13 agency-- there were recommendations--

14 CHAIRPERSON HANIF: [interposing] Who
15 would we need to get permission from or who would be
16 tasked with sending it over to us?

17 COMMISSIONER CASTRO: City--

18 CHAIRPERSON HANIF: [interposing] Or
19 revealing the recommendations?

20 COMMISSIONER CASTRO: City Hall.

21 CHAIRPERSON HANIF: City Hall.

22 COMMISSIONER CASTRO: This is a-- this
23 was a letter issued to us under the purview of
24 federal legislative affairs office.

2 CHAIRPERSON HANIF: So you can't right
3 now share any of the recommendations? You can't
4 commit to sharing the letter with the committee or
5 me?

6 COMMISSIONER CASTRO: Well, no-- it wasn't
7 directed to MOIA or to any of the items that we have
8 oversight over. My understanding is that many of
9 these recommendations had to do with information
10 sharing, for instance, or items that really would
11 need to be responded to by City Hall.

12 CHAIRPERSON HANIF: Okay, the Bliss [sic]
13 Clinic run jointly between USCIS [sic], the City, and
14 the State in partnership with NYIC, IR, American
15 Immigrant Lawyers Association, Lutheran Immigration
16 and Refugee Service, and the Legal Aid Society seems
17 to have been a massive success between September 25th
18 and October 6th that filed over 1,700 applications.
19 What would be needed to establish this model on a
20 permanent basis?

21 EXECUTIVE DIRECTOR GINDLER: That's a
22 great idea. We're talking with the Federal Government
23 to see what options exist for the future. Obviously,
24 we would need their cooperation first and foremost.

2 CHAIRPERSON HANIF: Understood. And is
3 there at timeline that you all are anticipating?

4 EXECUTIVE DIRECTOR GINDLER: I don't
5 currently have a timeline, but we are in active
6 conversations and I hope to look back soon.

7 CHAIRPERSON HANIF: Okay. Those are all
8 the questions I have for y'all. Thank you so much.

9 COMMISSIONER CASTRO: Thank you, Chair,
10 and thank you, Council.

11 EXECUTIVE DIRECTOR GINDLER: Thank you.

12 EXECUTIVE DIRECTOR TORTORICI: Thank you.

13 COMMITTEE COUNSEL: Thank you for your
14 testimony and thank you, Chair. We will now turn to
15 public testimony. We will be limiting public
16 testimony today to two minutes each. Please note
17 that if you're prepared testimony exceeds two
18 minutes, in addition to testifying before the
19 committee today, you may also submit your full
20 testimony to the record up to 72 hours after the
21 close of this hearing by emailing it to
22 testimony@council.nyc.gov. If you are here to
23 testify in person and you have not yet completed a
24 witness slip, please visit the Sergeant's table in
25 the back and complete a witness slip now, even if you

2 registered to testify online. For in-person
3 panelists, please come up to the table once your name
4 has been called. For virtual panelists, once your
5 name is called, a member of our staff will unmute you
6 and the Sergeant at Arms will set the timer and give
7 you the go-ahead to begin. Please wait for the
8 Sergeant to announce that you may begin before
9 delivering your testimony. With that, we will now
10 hear from Kelly Agnew-Barajas, Laura Adams, and
11 Melissa Chua. And whenever you're ready, you may
12 begin. Thank you.

13 KELLY AGNEW-BARAJAS: I think we're still
14 in the morning. Good morning, Chair Hanif. I'm
15 Kelly Agnew-Barajas. I'm the Director of Refugee
16 Resettlement at Catholic Charities Community
17 Services. Thanks for this opportunity to testify.
18 Catholic Charities has been in the position of
19 serving at this point mostly with both social
20 services at the Navigation Center that we stood up as
21 well as with multiple satellite sites and
22 subcontractors and in legal service. About 35
23 percent is our estimate of total of the new arrivals.
24 But we've-- again, both social services and legal
25 services. So we are in a good position to kind of

2 see a lot of different elements of the needs of
3 asylum-seekers. We would want to just start by
4 saying this is not a new issue of having asylum-
5 seekers come to New York City. For my entire career
6 we've worked with asylum-seekers. It's really the
7 volume that's presenting this new challenge for the
8 City. So it's shedding light on something that we've
9 been dealing with for quite some time. I want to
10 just kind of immediately go to two issues that I feel
11 are most pressing that my colleagues in immigration
12 legal have shared with me to represent and to flag.
13 One is to specifically work on increasing access to
14 DOJ accreditation. As part of a nationwide
15 initiative to address the shortage of licensed
16 immigration attorneys, many legal service providers
17 and stakeholders are exploring creative initiatives
18 to increase capacity to provide legal services. We
19 think that this is something that needs much more
20 attention and investment and, you know, there's some
21 momentum to allow representatives to create-- to
22 provide services in lieu of fully-licensed attorneys,
23 but capacity concerns are very-- remain serious
24 concerns. We have to address that by, you know, with
25 additional investment of resources, and we would ask

2 the City to increase discretionary funding to support
3 those initiatives. I also want to implore the use of
4 more multi-year funding for full representation. It's
5 extremely limited to have year contracts that end
6 when you're representing new cases that we know will
7 take years to conclude. The idea of investing in pro
8 se services is key. However, we need to continue
9 ensuring that, you know, it's not just a one-off that
10 we're allowing people pro se without the backup and
11 support. The truth is that these cases are very
12 complex. Cases are much more likely to be successful
13 if they have full representation or at least, you
14 know, additional support of an attorney. It's--
15 we're really pleased that TPS has been announced for
16 Venezuelans, but this leaves out still more than half
17 of the folks that we've been welcoming here, and we
18 need to continue pushing for more solutions, and
19 multi-year awards would really help that. So, I
20 just-- two seconds just to say that social services
21 are as critical as legal services. When people are
22 not stabilized, they are not able to be successful in
23 their legal cases. So we would implore resources of
24 both sides. Thank you so much.

25 CHAIRPERSON HANIF: Thank you.

2 MELISSA CHUA: Good morning, Chair Hanif,
3 Council Members and staff. Thank you for the
4 opportunity to speak to you this morning. My name is
5 Melissa Chua. I'm the Associate Director of the
6 Immigrant Protection Unit at NYLAG. We are proud to
7 operate in a city that values its immigrant citizens
8 and supports much-needed services to them through
9 their budget. We believe that long-term continued
10 investment in legal services and community-based
11 organizations including those with deep expertise is
12 crucial to meeting the current and future needs of
13 new New Yorkers. We cannot treat this issue of legal
14 services and other support for new New Yorkers as a
15 temporary one. Instead, we are urging in the support
16 of investment in expertise, programming, and services
17 to continue to meet the ongoing and ever-changing
18 legal needs of the immigrant community in New York
19 City. As the Commissioner discussed earlier this
20 morning, while application assistance is an extremely
21 important initial step to helping asylum-seekers meet
22 their one-year filing deadline and moving them along
23 the path to getting employment authorization, this--
24 a long term investment in legal services to support
25 immigrants along the continuing process of obtaining

2 asylum is absolutely critical. Last year, in
3 response to the large numbers of newly-arrived
4 immigrants, community-based organizations and legal
5 services including NYLAG came together to develop
6 innovating programming to maximize the limited
7 services and personnel and to provide community-
8 oriented, high-quality legal assistance, and one of
9 the programs that was developed during this process
10 was the Pro Se Plus Project, the PSPP, which was
11 established through private investment and now
12 receives support from the City and State. The PSPP,
13 we are a collective of organizations including NYLAG,
14 African Communities Together, Central American Legal
15 Assistance, Catholic Migration Services, MASA,
16 Unlocal, and Venezuelan Immigrants Aid. We aim to
17 empower migrants with the knowledge and tools to
18 advocate for themselves. We would really just urge
19 the sustained, long-term funding that includes full
20 representation and full support for pro se applicants
21 that is more than and more lasting than applications
22 alone. Thank you.

23 CHAIRPERSON HANIF: Thank you. I'd like
24 to just acknowledge that we've been joined by Council
25 Member Sanchez.

2 LORA ADAMS: We're on. Thank you. Good
3 morning Council Members. My name is Lora Adams and
4 I'm the Legal Services and Capacity-building
5 Coordinator at Immigrant Arc or I-ARC. Our mission is
6 to increase justice and legal counsel for immigrant
7 New Yorkers by mobilizing New York's legal service
8 providers and addressing the systemic barriers to
9 justice. We do have providers here today that'll
10 discuss in more detail their various programs, so I
11 am going to limit my testimony just to things that
12 have not engaged providers directly. While the
13 influx of migrants seeking refuge in New York City
14 continues to be a challenge of capacity, legal
15 service providers across the five boroughs have
16 worked to rise due to the challenge, making a
17 herculean effort to come together and provide rapid
18 response services. While they're doing everything
19 they can to serve the roughly 113,000 migrants
20 arriving in the City over the past year, they have
21 faced significant challenges coordinating with the
22 City, particularly the Mayor's Office. There's been
23 little effort from the City to sit down with
24 stakeholders, legal service providers, and the
25 community-based organizations who are the frontline

2 responders to this crisis to collaborate on rapid
3 response efforts and ensure coordinated and strategic
4 response. There hasn't been transparency regarding
5 the creation of the Office of the Asylum-seeker
6 Operations, and providers have not been included in
7 conversations on how to best respond to the needs of
8 various communities, despite the areas of expertise.
9 It is also our observation that black immigrant
10 communities, particularly those from African
11 countries, have particularly suffered from lack of
12 access to culturally competent services. We're
13 seeing many temporary rapid clinics from both the
14 City and legal service providers across the City,
15 like the City-founded NYC Asylum Application Help
16 Center. Like many of these clinics the Asylum Center
17 has been an immediate resource to provide necessary
18 assistance to migrants navigating the initial
19 immigration process. These clinics do meet an
20 important need, but they have excluded the
21 participation or input of long-time legal services
22 and community-based organizations, furthering a
23 divide between the Mayor's Office and the nonprofit
24 sector and failing to address the long-term needs of
25 those that they serve. First and foremost, the

2 efforts run by the Office of the Asylum Seeker
3 Operations do not coordinate long-term representation
4 for migrants which can be a huge issue since the
5 majority of asylum application need follow-up. Thank
6 you. I'll be done very quickly. It's or
7 recommendation that we need greater transparency from
8 city agencies, a strategic coordination from the city
9 and the state government with legal services
10 providers and community-based organizations and
11 funding for long-term immigration legal services
12 which includes the passage of the Access to
13 Representation Act at the state level. I'm proud to
14 say that we also worked Immigrant ARC as partnership
15 with the city, state, and federal government to do
16 the work permit clinic that Masha so greatly shouted
17 out. They completed 1,700 applications in just 10
18 days, and that's just a great demonstration as what
19 can happen if we can actually coordinate together.
20 Thank you.

21 CHAIRPERSON HANIF: Thank you. So,
22 building off of your statement, could you-- could you
23 all describe what the collaboration has looked like
24 with your organizations, MOIA and OASO?

2 LORA ADAMS: I'll leave that to service
3 providers. Go ahead to start.

4 MELISSA CHUA: We had initial meeting
5 with OASO last week. That was the first that we have
6 had.

7 CHAIRPERSON HANIF: The first. And was
8 that just with the organization or a table of
9 providers?

10 MELISSA CHUA: With a table of providers
11 from PSPP, as well as LSSNY, and CUNY. My
12 understanding is that they would like to have more
13 information sharing meetings going forward, but other
14 than that, we have not-- we have not collaborated
15 with them.

16 CHAIRPERSON HANIF: And based off of the-
17 - based off of this meeting, another meeting hasn't
18 been scheduled or something more regularly?

19 MELISSA CHUA: We do have-- there's a
20 desire to have more regular meetings, again, for
21 information sharing, but we were not involved in the
22 planning or the design of the issuance of services.

23 CHAIRPERSON HANIF: Understood.

24 KELLY AGNEW-BARAJAS: I have not had any
25 interaction directly. I would have to check with

2 others at the agency to see if they've been reached
3 out to.

4 CHAIRPERSON HANIF: And then, irrespective
5 of sitting together, has anyone from MOIA or OASO
6 just sent out information to providers?

7 MELISSA CHUA: I can say that MOIA has
8 convened meetings between the ASLAN providers of
9 which PSPP is a member of. And so those meetings
10 have been happening fairly regularly for us to
11 exchange information between providers, but not with
12 OASO specifically.

13 KELLY AGNEW-BARAJAS: Yes, exactly.

14 CHAIRPERSON HANIF: So, is it correct to
15 say that providers are figuring out initiatives on
16 your own and trying to support the influx of asylum-
17 seekers with the various applications and then the
18 City has its own lane of initiatives or programming
19 created to support asylum-seekers? These are
20 happening in separate paths?

21 MELISSA CHUA: Yes, and we would say that
22 we would welcome more collaboration between our
23 network of providers and community-based
24 organizations with the City to provide these
25 services.

2 KELLY AGNEW-BARAJAS: yeah, I mean, just
3 to reiterate, the effort is not small to coordinate
4 what has been happening.

5 CHAIRPERSON HANIF: Totally.

6 KELLY AGNEW-BARAJAS: So, I-- but I do
7 think we would again welcome much more coordination
8 across legal services, social services, what's
9 happening with health, what's happening with
10 community engagements. There's grassroots efforts
11 happening that we should all be a little bit more on
12 the same page, and we would want that to be happening
13 in concert.

14 CHAIRPERSON HANIF: And then are you all
15 aware of the various structure of the legal services
16 that OASO is providing? Do you refer out to--
17 clients to them?

18 KELLY AGNEW-BARAJAS: It seems like they
19 have been working with the shelters primarily as
20 their main source, so I don't think it's well-
21 coordinated at this point.

22 CHAIRPERSON HANIF: Okay.

23 MELISSA CHUA: I will say that MOIA has
24 made efforts to outreach to providers to say this is
25 how you can refer people to the center, but my

2 understanding is that now they've moved to TPS and so
3 we are handling the asylum applications on our own.

4 CHAIRPERSON HANIF: Got it. And then we
5 had also learned that they're not focusing
6 specifically on asylum-seekers who are not in
7 shelters. Would you say that you all are also
8 covering the ground of people who are not in
9 shelters?

10 MELISSA CHUA: We serve people who are in
11 shelter and not in shelter, correct.

12 KELLY AGNEW-BARAJAS: Same, we serve
13 both, but I think that those types of nuances need to
14 be expressed much more coherently so that people
15 understand exactly what the process is and that
16 people-- you know, there's also an understanding I
17 think implicit in that decision that people who are
18 not in shelter are fine and can navigate everything
19 on their own, when that is not necessarily the case.
20 They could definitely be doubled-up, tripled-up,
21 couch surfing. They could be in any number
22 precarious situations themselves. I understand the
23 focus is on folks in shelter, so that they can
24 conceivably get out of shelter, but you know,
25 everyone-- everyone is our priority, frankly.

2 CHAIRPERSON HANIF: And then based on this
3 moment and your years in the legal services world,
4 are there models of collaboration between city and
5 providers that you have heard about or learned about
6 during this time that New York City should replicate?

7 MELISSA CHUA: I think what we would say
8 is that there's no kind of one-size-fits-all answer
9 here, and that funding a number of different
10 collaborations, different service methods including
11 full representation is really what will be crucial to
12 meeting the need.

13 LORA ADAMS: I think there's certainly a
14 concern that without that kind of long-term planning
15 and long-term wraparound services that all of the
16 great work that is happening on rapid response is
17 going to be undone as migrants start hitting the
18 legal justice system and falling through the cracks
19 in the process, especially those who are pro se.

20 CHAIRPERSON HANIF: Thank you all so
21 much.

22 COMMITTEE COUNSEL: Thank you very much
23 for your testimony. We'll next hear from Pooja
24 Asnani, Susanna Saul, Keighly Rector, and Rosie Wang.
25 And please go ahead whenever you're ready.

2 POOJA ASNANI: good morning Chair Hanif
3 and members of the Committee on Immigration. My name
4 is Pooja Asnani and I'm the Director of the
5 Immigration Intervention Project at Sanctuary for
6 Families, New York City's largest provider of
7 wraparound services for survivors of domestic
8 violence, human trafficking, sexual assault, and
9 related forms of gender-based violence. We are so
10 grateful for the opportunity to testify today on this
11 critical subject, as our city urgently seeks to
12 address the enormous numbers of asylum-seekers who
13 have arrived in recent months. Sanctuary's
14 Immigration Intervention Project provides legal
15 representation and advice to 2,000 migrants annually.
16 Last year, including over 270 abuse survivors
17 assisted with gender-based asylum claims. Few
18 service providers have the legal expertise,
19 experience in trauma-informed interviewing and
20 linguistic and cultural competence to effectively
21 assist the survivors in gender-based asylum
22 applications. For those fleeing gender-based gender
23 violence, the availability of high-quality legal
24 assistance can literally be a matter of life and
25 death. We know from our partners and from

2 conversations with officials in the City's Asylum
3 Application Help Centers that there are hundreds of
4 migrants arriving who may be eligible for gender-
5 based asylum. These migrants have arrived from
6 countries around the world, uprooted from their homes
7 due to domestic violence and rape, as well as failure
8 of law enforcement to protect vulnerable people,
9 especially women and children from violence. Their
10 journeys to safety usually involved arduous life-
11 threatening treks, often with minor children and may
12 have experienced sexual violence on route. Even
13 after arriving in New York they remain extremely
14 vulnerable to abuse, trafficking and sexual
15 exploitation. With the influx of tens of thousands
16 of migrants in New York City, and thanks to private
17 and state funding, Sanctuary for Families has
18 expanded our legal staff significantly to address
19 this immense need. Numerous law firms have already
20 singed with us to work on these cases. I want to-- I
21 know that I'm out of time, but I just want to
22 emphasize that despite our ongoing partnerships with
23 law firms and our innovative programming to expand
24 access to gender-based asylum-seekers, the work is
25 not done simply with the filing of the asylum

2 application. There are many crucial components to
3 presenting a successful asylum claim, including
4 detailed affidavits, country condition reports, and a
5 considerable legal briefing, and there are capacity
6 limits in our ability to provide full legal
7 representation to many hundreds and thousands who
8 will need it. Just in the past six months we have
9 received over 600 referrals from community partners
10 and city agencies. Among these we are taking the most
11 urgent and challenging cases. We do our best to
12 provide high-quality legal services and wherever
13 capacity permits access to Sanctuary's range of
14 holistic other services including trauma counseling
15 for adults and children, case management, career
16 training, and other economic mobility services. We
17 encourage the City-- the Council to expand City
18 funding for these much-needed services and for longer
19 term funding to support legal representation. We
20 applaud the efforts of the Immigration Committee to
21 ensure that New York's new arrivals get the help they
22 need to gain asylum legal status. Thank you for the
23 opportunity to testify today.

24 CHAIRPERSON HANIF: Thank you.

2 ROSIE WANG: Thank you Chairperson Hanif
3 and Committee Members. My name is Rosie Wang. I am
4 a Program Manager at the Vera Institute of Justice.
5 I'm testifying today about the need to provide strong
6 and stable legal services to support immigrants, both
7 long-time residents and newly arriving people seeking
8 asylum. As my written testimony will detail, we need
9 a combination of investments in both long-term
10 sustainable solutions and programs that we urgently
11 need. At Vera, one of our core priorities is to
12 advance universal representation so that no immigrant
13 is forced to face deportation without legal counsel.
14 We value fairness and dignity and also recognize many
15 ways that immigrants strengthen and enrich New York
16 and the nation as a whole. Yet, there are
17 longstanding gaps in our legal services
18 infrastructure. As of August, over 125,000 cases
19 before New York Immigration Courts were
20 unrepresented, left to navigate a complex system
21 alone. Rather than only seeking stop-gap measures, I
22 urge the City to advance long term solutions to
23 ensure that we are prepared to support immigrants
24 into the future. This is includes passing Council
25 Member Hudson's Resolution 556 which calls upon the

2 state to pass the Access to Representation Act, or
3 the ARA. The ARA would create a right to counsel in
4 immigration courts in New York, and the ARA also
5 calls for we must invest in recruitment, training,
6 and retention to staff up legal teams to meet this
7 need. This growth must proceed at the sensible pace,
8 and in alignment with the recommendations of
9 providers currently doing this work on the ground.
10 While building infrastructure, New York should
11 simultaneously respond to urgent needs for legal help
12 including assistance with applying for Temporary
13 Protective Status, asylum, and work authorization.
14 These are critical investment in New York's future.
15 More than half of all New York City children have an
16 immigrant parent. Nearly half of the workforce is
17 foreign-born and immigrants own almost half of our
18 small businesses. The City must support the passage
19 of the ARA and long term solutions like building
20 sustainable legal teams. By doing so, New York can
21 flourish while advancing a vision of justice
22 [inaudible] human dignity of the immigrant community.
23 Thankyou.

24 CHAIRPERSON HANIF: Thank you.

2 SUSANNA SAUL: Thank you to the Committee
3 on Immigration, Chair Hanif, and the council for the
4 opportunity to address important issues related to
5 legal services for asylum-seekers in New York City.
6 My name is Susanna Saul. I'm the Director of the
7 Immigration Practice at Her Justice. Her Justice
8 stands with women living in poverty in New York City
9 by recruiting and mentoring volunteer lawyers to
10 provide free legal help to address individual and
11 systemic legal barriers in the areas of immigration,
12 family and matrimonial law. We are committed to
13 providing long-term full representation to those who
14 need it. Our immigration practice has deep expertise
15 providing free legal assistance to undocumented
16 immigrants who have experienced domestic violence,
17 sex trafficking, labor trafficking, and other forms
18 of gender-based violence as they seek to stabilize
19 their immigration status in the United States. Her
20 Justice has a unique pro bono first model. We know
21 that pro bono legal services are a critical part of
22 the solution to the current immigration legal
23 services shortage. We're uniquely positioned to talk
24 about pro bono services as we have 30 years of
25 experience training and mentoring pro bono attorneys

2 to provide high-quality free legal services. We know
3 that New York City has an abundance of talented
4 lawyers ready, willing and able to assist those who
5 cannot afford a lawyer. At Her Justice we thoroughly
6 screen each client for immigration remedies for which
7 they may be eligible including asylum. While we do
8 not represent clients in asylum applications, we have
9 strong partnership with other organizations that do.
10 Once screened we place eligible clients with pro bono
11 attorneys who are equipped by us to provide full
12 representation to them. We invest resources and we
13 create infrastructure to support them, including
14 hiring immigration legal experts as mentors. Chronic
15 under-resourcing of adjudication systems within USCIS
16 compounded by operational challenges in the pandemic
17 translates to processing times for adjudication up to
18 10 years, and work permit issuances can take up to
19 five years for our clients. Our staff supports
20 clients and their pro bono attorneys during that
21 entire waiting period. The current wave of recent
22 migrants shines a light on the already scarce
23 services. We know that New York City can be a legal
24 ecosystem where all migrants and immigrants can
25 receive the legal relief that they deserve. We would

2 like to thank the City Council for the opportunity to
3 testify on such an important matter.

4 KEIGHLY RECTOR: Good morning. My name
5 Keighly Rector and I'm submitting testimony on behalf
6 of the New York Chapter of the American Immigration
7 Lawyers Association, or AILA. AILA is the nation's
8 largest non-partisan, for-profit, professional
9 organization of immigration lawyers with more than
10 1,700 members in New York whose practices span the
11 entire scope of immigration law. Today, we aim to
12 shed light on the complexities of asylum law, the
13 expectations placed on asylum applicants, and the
14 need for funding experienced legal advocates
15 achieving successful outcomes in these cases. Asylum
16 law is intricate and multifaceted involving a complex
17 set of procedural requirements and a profound
18 understanding of federal immigration policies,
19 statutory framework and legal precedent across
20 multiple levels of our judicial branch. One of the
21 first hurdles faced is the one-year filing deadline.
22 To satisfy this deadline, an asylum-seekers must
23 submit form I589 within one year of arriving in the
24 U.S. Failure to do so effectively forecloses
25 eligibility for asylum with extremely limited

2 exceptions. The 589 is a 12-page document available
3 only in English that not only demands detailed
4 biographical information, calling for five years of
5 address, employment, and education history, but four
6 pages of questions calling for lengthy narrative
7 responses detailing the persecution suffered and
8 feared. These responses like all other information
9 on form 589 must be written in English. We comment
10 the Adams Administration for establishing the Asylum
11 Application Help Center which has already proven to
12 be an invaluable resource for helping asylum-seekers
13 meet their one-year deadline. However, the Center's
14 scope is limited. First, its services are currently
15 only available to those housed within the City's
16 shelter system. There are limited organizations
17 within the city providing pro se application
18 assistance, and they like all the legal service
19 organizations are overwhelmed and over capacity.
20 Second, pro se application assistance is the first
21 step in a long and complex process. Filing the 589
22 is like reaching base camp at Mount Everest, a
23 significant barrier overcome but the most arduous
24 part of the journey yet to come. To actually win
25 asylum, an individuals must prevail at hearing before

2 an immigration judge that is often hours long, highly
3 contested by an attorney for the Department of
4 Homeland Security, and involves exhausting testimony
5 and cross-examination. This is where the role of an
6 experienced legal advocate becomes indispensable.
7 Attorneys who specialize in asylum cases possess
8 legal knowledge, skills, and resources necessary to
9 guide asylum-seekers through the complex and ever-
10 evolving immigration system. They provide invaluable
11 support by conducting thorough interviews, gathering
12 compelling evidence, preparing strong legal
13 arguments, and helping asylum-seekers articulate
14 their experiences effectively. The final evidence
15 package often exceeds 500 pages of detailed written
16 testimony by the applicant, a legal brief with
17 arguments, and citations to relevant case law,
18 statutes and regulations, expert testimony, medical
19 evaluations, and corroborating evidence from the
20 applicant's home country, all of which must be
21 accompanied by a certified English translation. The
22 need for representation in asylum cases is
23 underscored by statistics consistently showing higher
24 grant rates for those with legal counsel than those
25 who navigate the process pro se. It's also important

2 to recognize that asylum cases often extend over a
3 long period with multiple hearings and appeals. In
4 conclusion, the New York Chapter of AILA urges the
5 New York City Council Committee on Immigration to
6 recognize the profound importance of funding
7 comprehensive and long-term legal services for
8 asylum-seekers in New York City. The establishment
9 of these long-term resources is critical to
10 supporting these asylum-seekers throughout the
11 duration of their case. Thank you for your
12 commitment to addressing the pressing needs of
13 asylum-seekers in our city and we look forward to
14 collaborating with you to ensure that they receive
15 the legal representation they deserve.

16 CHAIRPERSON HANIF: Thank you. Susanna
17 and Pooja, can you share the unique challenges women
18 and children experience in the application-- asylum
19 application process, and what is available
20 specifically for the relief for survivors?

21 POOJA ASNANI: Happy to do so. So, as
22 the Director of the Immigration Project at Sanctuary
23 for families we work primarily with women and
24 children who are fleeing gender-based violence. One
25 huge obstacle that we encounter, that we've

2 encountered-- it's not new, but we're seeing it more
3 and more is the level of trauma that the individuals
4 that we serve have faced, often preventing them from
5 being able to even talk about the abuse that they
6 suffered in their home countries, compounded by
7 oftentimes what is ongoing abuse and exploitation
8 that they experience during their perilous journey to
9 the United States. So ensuring that they have access
10 to counseling, ensuring that they have access to
11 stable housing, ensuring that their children are able
12 to enroll in schools, that they're getting language-
13 appropriate services, all of these are some of the
14 challenges that we encounter in serving women and
15 children who are specifically seeking asylum based on
16 gender-based violence.

17 SUSANNA SAUL: And I would just add to
18 the question about other remedies for women and
19 children who have been subjected to gender-based
20 violence. Our office specializes in U-Visas and T-
21 Visas. We're going to see more of that. I think
22 that today's asylum-seeker might be next year's U-
23 Visa and T-Visa petitioner. So we need to make sure
24 that those services are also in place. I would echo
25 the challenges that my colleague just referenced.

2 Trauma is-- and mental health services are incredibly
3 important. Culturally-appropriate services are
4 incredibly important. I would also say that one of
5 the big obstacles in U-Visas and T-Visas is also the
6 requirement that women and children cooperate with
7 law enforcement, and so our local law enforcement
8 agencies also need to be very sensitive to the trauma
9 that-- not just women and children seeking gender-
10 based violence, but migrants in general have
11 encountered, because those law enforcement officials
12 are going to be called upon to provide statements
13 saying that those victims were cooperative with them,
14 and we need to partner with the local law enforcement
15 agencies successfully in order to be able to get
16 those statements of cooperation so that we can put
17 those applications forward to the immigration service
18 and get those individuals on the path to lawful
19 status.

20 CHAIRPERSON HANIF: And are you
21 witnessing an uptick in U and T-Visa petitions?

22 POOJA ASNANI: I think it's too early to
23 see right now the uptick in the two-- the U and T-
24 Visa petitions because in order to file those you
25 have to first-- there has to be the crime that's been

2 identified, that the victim has come forward, that
3 you've sought law enforcement, or cooperated, or
4 communicated with hem as Susanna explained. What we
5 are deeply concerned with is the increased risk of
6 exploitation of these women and children in the
7 shelters and outside of the shelters, most of whom do
8 not have access to work authorization. And just
9 anecdotally we work with a number of other community-
10 based organizations who serve individuals in
11 different shelters. We've been hearing that there is
12 an uptick in solicitation for prostitution, and in
13 the potential for trafficking for a lot of these
14 individuals and we believe that there is an immense
15 need for there to be outreach and services provided
16 to these women and children to ensure that they're
17 protected-- there are protections in place to
18 minimize trafficking and exploitation.

19 CHAIRPERSON HANIF: And is MOIA or OASO
20 working with you all to really learn about these
21 challenges and also put out information more broadly
22 that allows potential clients to reach out to you all
23 for the services? Could you share the-- how the
24 collaboration is going with--

2 POOJA ASNANI: [interposing] I'm happy to
3 talk about some preliminary efforts that have-- that
4 are underway. So Sanctuary for Families reached out
5 specifically to NGBV, the Mayor's Office to End
6 Gender-Based Violence, and we have been in
7 conversations about doing outreach within shelters.
8 We have a call coming up this week on Thursday with
9 NGBV. I believe that they've communicated also with
10 MOIA, although we haven't had a direct communication
11 with MOIA on this issue, but we are seeking ways to
12 do outreach and to increase awareness of gender-based
13 violence and trafficking to women and children in
14 these shelters, and that is-- and Sanctuary for
15 Families in collaboration with other nonprofit
16 partners who serve woman and children hopes to
17 conduct outreach and training in these shelters with
18 respect to these issues.

19 SUSANNA SAUL: But I will-- I will just
20 add, as you heard today, capacity limitation at our
21 organizations is a huge issue, and so as much
22 outreach as we would love to do, as much education as
23 we would love to do, to be able to absorb the cases
24 and the individuals who will need further follow-up,
25 trauma-informed approaches, our capacity is at--

2 beyond our limits. So this is why we're coming to
3 you today to ask for investment, long-term full
4 representation, mental health services, all of that
5 has to be a part of outreach and education.

6 KEIGHLY RECTOR: And if I may add-- so
7 I'm here today in my capacity as a member of AILA,
8 but I'm also a member of the nonprofit legal services
9 community and have been providing direct
10 representation in immigration cases in nonprofits
11 since 2017. To just go off of what my colleagues are
12 talking about and highlighting what the need for
13 trauma-informed legal services, I support that whole
14 heartedly and also want to draw attention to the need
15 for funding to support trauma-informed practices for
16 the people doing these cases. We heard earlier about
17 the amount of exposure that folks who are at the
18 Asylum Application Help Center are getting to
19 extremely, extremely distressing stories day after
20 day, and that takes a toll. There is an incredible,
21 incredible number of people who leave this profession
22 who burn out. I see that every day in my colleagues.
23 within this year alone I have two colleagues who left
24 their current organizations and are considering
25 leaving direct services altogether. So in addition

2 to thinking about the needs to respond to the trauma
3 suffered and experienced by our clients, we also need
4 to be thinking about the people who are delivering
5 those services and thinking about what we can do and
6 what we can fund in our organizations to make that
7 work sustainable and healthy for them.

8 CHAIRPERSON HANIF: Absolutely, thank you
9 so much for lifting that up. You all have been
10 tremendously just undervalued in this moment and we
11 certainly see your work and value your work and all
12 the expertise that you bring and not just in this
13 moment but for many, many years to allow the City to
14 do what it can do. Are you also providing support to
15 youth? Like separate of children with families, but
16 could you talk a little bit more about those who are
17 maybe under 18 or up to age 18? What are some of the
18 challenges you're experiencing with young people who
19 have arrived?

20 SUSANNA SAUL: I mean, I think that it's
21 even more difficult for those individuals to access
22 legal services. It's much more difficult for those
23 individuals to reach out for help. They may already
24 be fleeing trafficking exploitation, a different sort
25 of persecution. They may be wary of adults. And so

2 I think we haven't seen a lot of those individuals.
3 We also don't specialize in like outreach to youth
4 populations but I do think there are additional
5 barriers for those individuals to access services.

6 POOJA ASNANI: I think it's important to
7 highlight also that there are specific immigration
8 remedies that are available just to young people,
9 most notably the special immigration juvenile status
10 which is a specific immigration status afforded to
11 youth who have been abused, neglected or abandoned by
12 one or both parents. We at Sanctuary for Families,
13 while we specialize in gender-based violence
14 services, we also work with youth who have been
15 abused, neglected or abandoned in these such cases,
16 and just anecdotally I will note that the numbers of
17 young people being referred to us by other
18 organizations which is telling of sort of the
19 organizations that serve youth just unable to meet
20 with-- meet the need has increased, and I've actually
21 seen two young people referred to us that aged out
22 within weeks of referring to us. by the time the
23 referral got to us they'd already turned 21. It's
24 really tragic because for these young people-- you
25 know, there's a number of challenges that Susanna

2 highlighted-- a lot of them have actually been living
3 separately from their parents for most of their lives
4 and embarked on these journeys to come to the United
5 States to reunite with their parents and as you might
6 imagine those reunifications are lot more complicated
7 psychologically and emotionally for the children and
8 the parent than, you know, one might imagine. And so
9 a lot of these relationship are falling apart upon
10 their arrival in the United States. These young
11 people are winding up in shelters. They're not
12 maybe-- and they might not even be getting access to
13 information about their eligibility for immigration
14 services, and I think that is where we have seen
15 young people be referred to us really right before
16 they turn 21, and what might have been a legal
17 process that would have changed their lives, it would
18 have put them in a path to getting a green card, has
19 been lost because of failure to sort of screen and
20 identify these young people as eligible. And also, I
21 mean, even beyond screening and identifying them, we
22 are all-- all of our organizations are at capacity to
23 actually take on these cases for representation. And
24 so I think, you know, we've emphasized and we've
25 heard a lot form the City and from the Mayor's Office

2 about these wonderful efforts to get 589's filed.
3 That is just a very small part of what needs to be
4 the solution, because at the end of the day, these
5 migrants are going to have 589-- their asylum
6 applications filed and then what? And then you've
7 got hundreds of hours of preparation to help them to
8 get asylum. And if organizations like ours are not
9 adequately funded to provide full legal residents,
10 many of these people may be ordered deported, may
11 lose their asylum case simply because they did not
12 have access to representation. So I think that sort
13 of viewing the-- you know, the whole of all of the
14 service providers that collectively provide legal
15 representation is important in ensuring that, you
16 know, we're-- as a community we're supported.

17 CHAIRPERSON HANIF: Absolutely. Thank
18 you all so much.

19 KEIGHLY RECTOR: If I can also just add a
20 statistic-- a recommendation from the American Bar
21 Association just to shine a little light on what we
22 mean when we say that we're at capacity. So the
23 ABA's Commission on Domestic Violence and Sexual
24 Violence recommends that staff attorneys working on
25 DVSA cases have no more than 15 to 20 cases on their

2 docket. I have never in my career worked at an
3 organization where that's realistic, so I understand
4 that even that is going to be kind of a bucket list
5 item, but I would say on average, you know, we're
6 looking at like minimum like 50, 60 cases on the
7 average staff attorney's docket, and the bulk of
8 those involve at some point some kind of violence,
9 whether it's the crux of the legal relief that the
10 client is seeking or not, it often comes out in the
11 course of the representation and may be relevant in
12 other ways. So there's still that exposure to it.
13 So just thinking about that number and the number of
14 people who need our services, like, we just simply
15 need more funding to have more people, more staff to
16 do these cases.

17 ROSIE WANG: And if I might just be able
18 to sort of connect what my colleagues have shared
19 back to our-- Vera's advocacy to pass the Access to
20 Representation Act. This bill is designed to address
21 many of these needs in the sustainable long-term way
22 that many have described as what it's called for, you
23 know, both in this moment and in the future. To have
24 that long-term infrastructure in place, to have legal
25 teams sustainably staffed up to be able to meet

2 fluctuating needs of-- and changing immigration
3 landscape and change in migration patterns, the bill
4 provides for an advisory committee made up of
5 providers so that it can be implemented sustainably
6 over a six-year period in a way that's in line with
7 the needs of, you know, the people getting services
8 and the people delivering services. And it provides
9 for training, you know, caseload recommendations from
10 the advisory council, and adequate compensation for
11 attorney recruitment and retention, support staff and
12 social workers, and all of these elements need to
13 come together to not only provide wraparound services
14 to people who very much need full legal representation
15 for all of the reasons discussed about how difficult
16 these applications really can be, but also to prevent
17 attorney burnout and turnover which is, you know, a
18 major source of the gap that the state and the city
19 is facing in its legal services infrastructure and
20 part of the reason we've been caught off guard and
21 unprepared as we could be to serve and support our
22 new neighbor's. So guaranteed access to counsel on a
23 statewide level would also sort of do away with this
24 like yearly uncertainty of will these contracts get
25 renewed? Will funding be adequate next year to meet

2 the needs that we see? So this would be the responsive
3 long-term solution that we really want to highlight
4 and would, you know, love the City Council support on
5 calling for the state to pass. Thank you.

6 CHAIRPERSON HANIF: Thank you all so
7 much.

8 COMMITTEE COUNSEL: thank you very much
9 for your testimony. We're about to hear from our
10 final in-person panel. If you do not hear your name
11 called, please-- and you wish to testify, please
12 visit the Sergeant at Arms desk in the back of the
13 room and fill out a witness slip that I may have your
14 name to call on. And with that, we will hear from
15 Bastion Hartick [sp?], Christopher Leon Johnson, and
16 Raul Rivera, and after that we'll turn to Zoom
17 panelists. You may begin whenever you're ready.

18 UNIDENTIFIED: Hey, I'm sorry [inaudible]
19 guys. I was [inaudible] downstairs. So, I'm going
20 to say this right now before I got to back
21 downstairs. Thank you for chairing this Chair Hanif.
22 Thank you for chairing this. So I want to say this
23 right now about the migrant crisis. The issue is,
24 like I said before in the last hearing chaired by
25 you, Shahana, is that you guys need to start-- like I

2 said, keep on investigating these firms that's
3 getting our money. That's what we got to start doing
4 more. Especially with Arrow Security and DotGo and
5 Medrite [sic]. You have to investigate these firms,
6 because if you don't investigate these firms, they
7 going to keep on doing what they doing and taking our
8 money. So you got to start investigating these firms
9 more often, especially with the abuses of the guards,
10 because that's a bit concerning with me is with the
11 guards how they're abusing not only members of the
12 public, the shelter people that live in the shelter--
13 we like to call them guests-- and members of the
14 press, even members of the New York Press [inaudible]
15 Association. So we have to really start
16 investigating that a little more often. And I'm
17 going to say this right now is that we got to stop
18 putting this money into the nonprofits, because all I
19 see right now with these nonprofits like the NYIC and
20 LoComena [sic] and the Brooklyn Justice Project, and
21 Envision Freedom Fund, and all these nonprofits that
22 so-called supposed to be advocating for the migrants,
23 especially Make the Road New York, is all the stuff
24 is nothing but electioneering, and we need to stop
25 this. We ought to stop putting money to these

2 nonprofits, because all we seen is electioneering
3 with our tax dollars. They're not even doing
4 anything real effective with the money that they're
5 getting from our tax dollars for contracts and
6 discretionary funding. So, and I'm going to say this
7 right now, and some of these members in the City
8 Council have to really start addressing this, because
9 it's just being-- it's getting out of hand.
10 Millions, billions spent every month on this crisis
11 and nothing's really getting accomplished. So,
12 that's all I got to say, and thank you. Thank you so
13 much.

14 CHAIRPERSON HANIF: Thank you.

15 RAUL RIVERA: Good afternoon. My name is
16 Raul Rivera. I'm a TLC driver, TLC driver advocate.
17 I'm also a native New Yorker, lifelong New Yorker, 53
18 years old. It seems like everybody here was
19 defending the migrants, the illegals, but I'm not
20 here to attack them, but we are here to defend our
21 New Yorkers. I'm a native New Yorker myself. I'm
22 fighting for my rights. There's so many things
23 happening in this city and we are being forgotten
24 about. People are forgetting about the New Yorker.
25 We have people saying come, don't come. They're gas

2 lighting. The Council is gas lighting. We have the
3 Governor saying that the border is now too open.
4 They want limits on the border. This was reported by
5 the New York Post. That's like saying you're a
6 little bit pregnant. It doesn't make sense. We say
7 close the border. If you close the border, it's
8 going to solve a lot of the problems. We challenge
9 you. Can you say that, Council Member? Can you say
10 close the border? Can you do that? You see, we said
11 the same-- Council Member Brewer, she can't say close
12 the border. You guys are looking for solutions, but
13 that's the solution. Close the border. Legal
14 migration, no discrimination. Protect the New
15 Yorker. I said this before. I'm just repeating
16 myself. What's wrong with closing the border? Do you
17 have a problem with that? You have a issue with
18 Adams going down to Latin America to speak to the
19 migrants. You're worrying about how much he spent.
20 How much money we spending of the tax payer money
21 here in the City putting them up in hotels? I've
22 spoken to these migrants. I speak Spanish. Many of
23 them are very nasty, and I try to tell them you got
24 to come here and respect this city and this country.
25 I don't care if you come from Pakistan or Boston, you

2 got to respect the New Yorker, and that's not
3 happening. This council doesn't protect the New
4 Yorker. You're more interested in illegal aliens that
5 are coming in here who need to be vetted correctly.
6 I think you guys forget about 9/11. I--

7 CHAIRPERSON HANIF: [interposing] Your
8 time is up.

9 RAUL RIVERA: You forgot about 9/11. I
10 saw 9/11 with my own eyes. You should remember that.

11 CHAIRPERSON HANIF: Thank you.

12 RAUL RIVERA: you should remember that.

13 CHAIRPERSON HANIF: Your time is up.

14 RAUL RIVERA: Close the border.

15 CHAIRPERSON HANIF: Your time is up.

16 RAUL RIVERA: Close the border.

17 COMMITTEE COUNSEL: we have now--

18 CHAIRPERSON HANIF: [interposing] I will
19 not be using my time--

20 RAUL RIVERA: [interposing] Close the
21 border.

22 CHAIRPERSON HANIF: to spew hate, and to
23 advocate to close the border.

24 RAUL RIVERA: Hate America. What are you
25 talking about? You hate this city.

2 CHAIRPERSON HANIF: And like you, I am a
3 native New Yorker.

4 RAUL RIVERA: You hate this city.

5 CHAIRPERSON HANIF: Thank you.

6 COMMITTEE COUNSEL: Thank you, Chair
7 Hanif. We have now heard from everyone who has
8 signed up to testify in-person. If we inadvertently
9 missed anyone who would like to testify in-person,
10 please visit the Sergeant's table and complete a
11 witness slip now. We will now hear from panelists on
12 Zoom. We will begin with a panel comprised of
13 Sharone Kaufman, Terry Lawson, Mark Valinoti, and Rex
14 Chen. For virtual panelists, once your name is called
15 a member of our staff will unmute you and the
16 Sergeant at Arms will set the timer and give you the
17 go-ahead to begin. Please wait for the Sergeant to
18 announce that you may begin before delivering your
19 testimony. And we'll now hear from Sharone Kaufman.

20 SHARONE KAUFMAN: my name is Sharone
21 Kaufman and I'm the Deputy Attorney in charge of the
22 Immigration Law Unit at the Legal Aid Society. We
23 thank Committee Chair Hanif and all members for
24 holding this hearing. No one is served well if
25 asylum-seekers in New York City do not achieve

2 stability and self-sufficiency. This means thinking
3 creatively and smartly about ways to help these
4 newest New Yorkers obtain temporary work permits, but
5 also longer term immigration status. From September
6 25th to October 6th, the city, state, and federal
7 governments partnered together with immigration
8 advocates and community groups for a two-week
9 expedited work permit clinic for those in New York
10 City shelters. 1,728 work permit applications were
11 filed, primarily for those granted humanitarian
12 parole. USCIS provided initial processing of these
13 applications and promised to provide approved work
14 permit cards in-hand within weeks. Legal Aid is proud
15 to have provided training and support to this unique
16 work permit effort. We urge city, state, and federal
17 government to adopt this expedited processing model
18 for Venezuelan temporary protective status which was
19 extended and re-designated this past month. USCIS is
20 notoriously slow to process work permits for those
21 with pending TPS applications, and there's currently
22 class action litigation regarding this. we must all
23 work together to avoid having Venezuelan TPS
24 applicants in New York City shelters fall into this
25 same situation. Legal Aid also encourages the City

2 to not solely invest in light-touch, high-volume
3 immigration legal services. Responsibly providing
4 immigration legal services means having immigration
5 legal providers in control of creating and
6 implementing legal services. The City should provide
7 dedicated funding help, existing providers, build up
8 their own pro bono supervision, and community
9 outreach. This is the smartest way to encourage more
10 immigration legal representation for asylum, TPS, and
11 any other legal options available to recent arrivals.
12 Legal Aid is committed to fighting to advance
13 immigrant's rights and welcomes any opportunity to
14 contribute constructively here. We thank the
15 committee for its dedication to these issues.

16 COMMITTEE COUNSEL: Thank you very much
17 for your testimony. We'll next hear from Terry
18 Lawson followed by Marc Valinoti, followed by Rex
19 Chen.

20 SERGEANT AT ARMS: Starting time.

21 TERRY LAWSON: Good afternoon. Thank you
22 to Chair Hanif, the Committee on Immigration and
23 Legislative Director Andrea Vasquez [sp?] and Deputy
24 Director for Governmental Affairs, Rachel Cordero
25 [sp?], for their comprehensive engaging briefing

2 paper published this morning. We appreciate your
3 repeated and steadfast commitment to raising
4 awareness for the need for high-quality free legal
5 services for immigrant New Yorkers. My name is Terry
6 Lawson, and along with my co-founder and co-
7 executive Director, yesterday we launched Co-Counsel
8 [sic] NYC, a new nonprofit legal services
9 organizations that seeks to transform our collective
10 capacity to navigate complex legal systems and
11 support safe, thriving and engaged immigrant
12 communities. Co-Counsel will partner with community
13 members, community-based organizations, law firms and
14 companies to respond to the emerging and complex
15 legal needs of immigrant communities. Having
16 listened to our partners in the private and nonprofit
17 sectors and drawing on our many years of expertise,
18 our trauma-informed model provides co-counseling,
19 supervision, mentoring, clinic facilitation, and
20 training on immigration and family law matters. We
21 imagine an innovative approach joining forces with
22 our partners at the law firms and businesses at
23 community-based organizations to expand access to
24 high-quality legal services, including both pro se
25 and full representation, and increasing training

2 opportunities to assist individuals seeking asylum,
3 TPS, work authorization, U-Visas, Special Immigrant
4 Juvenile Status, and many more forms of immigration
5 relief. We have heard from many advocates in the
6 private and nonprofit sectors who wish to take on
7 this work, but have reasonable anxiety about doing
8 so. Co-Counsel plans to provide substantive
9 training, supervision, and co-counseling required to
10 reduce and manage risk for everyone. We believe that
11 access to high-quality legal representation for
12 immigrant New Yorkers must be expanded, and that
13 immigrant New Yorkers are fierce advocates through
14 the US immigration system when equipped with the
15 right tools and support. We believe there must be
16 direct investment in the know-how and power immigrant
17 communities, community-based partners and legal
18 services providers who are experts in the field.

19 SERGEANT AT ARMS: Your time has expired.
20 Thank you.

21 TERRY LAWSON: This investment must
22 extend beyond initial asylum TPS and EAD applications
23 filed, and we echo the call for long-term investments
24 in community legal services by the City Council and
25 this Administration. Thank you.

2 COMMITTEE COUNSEL: Thank you for your
3 testimony. We'll next hear from Marc Valinoti
4 followed by Rex Chen, and then the start of a second
5 Zoom panel which will begin with David Miranda. But
6 Marc Valinoti, you may begin.

7 SERGEANT AT ARMS: Starting time

8 MARC VALINOTI: Thank you very much to
9 the committee for this opportunity my name is Marc
10 Valinoti, and I'm the Managing Immigration and Family
11 Attorney at NMIC. I want to echo many of my
12 colleague's sentiment that without stable
13 infrastructure and long-term funding for legal
14 services, we will not be able to provide for new
15 arrivals to our city and will not be able to maintain
16 current services for community members who may have
17 been here for longer. NMIC is unable to provide
18 direct representation to asylum, which we do find to
19 be as many of our colleagues would agree, the most
20 effective means of getting applications approved.
21 Although we do recognize the necessity of pro se
22 services and the application help centers. Were NMIC
23 to divert some of its limited resources to asylum, we
24 could no longer assist our communities in matters
25 ranging from U-Visa, and [inaudible] cases for

2 domestic violence survivors, TPS, DACA renewals, and
3 naturalization for residents who dream of
4 citizenship. As we've raised before, funders [sic]
5 have signaled drastic cuts to existing spending at a
6 time when it needs to be increased. MOIA announced
7 extensions of ActionNYC, reduction from three years
8 to one, and we are anxious about the future of
9 ActionNYC and about keeping existing services. We
10 would be very happy to expand our services. We want
11 to emphasize to help new migrants, but it's simply
12 not possible without increased stable funding. I
13 would like to share an example of services that are
14 facing termination without extended and stable
15 funding from the City and other providers. Teresa is
16 a 40-year-old LGBT woman who came from the Dominican
17 Republic in 2007 to escape discrimination. She
18 settled in New York, worked, but unfortunately
19 suffered a brutal attack at the hands of her
20 girlfriend's ex in around 2012. Fortunately, she was
21 able to find help at a nonprofit agency obtaining a
22 U-Visa for victims of serious crimes who cooperate
23 with law enforcement. U-Visa recipients have four
24 years before they must file for permanent residency.
25 Tragically,--

2 SERGEANT AT ARMS: [interposing] Thank
3 you. Time has expired.

4 MARC VALINOTI: in 2015, Teresa was again
5 attacked and stabbed and was unable to file on time
6 for her resident status. She came to NMIC, having
7 lost her status, her employment authorization, and
8 under threat of deportation. NMIC staff filed her
9 application for an untimely extension which required
10 years of work, advocacy with the NYPD, briefs,
11 responses to USCIS, and this past month in September,
12 Teresa's status was finally restored, and we will be
13 helping her complete her journey to permanent
14 resident status. Without--

15 CHAIRPERSON HANIF: [interposing] Thank
16 you so much for your testimony.

17 MARC VALINOTI: increased and stable
18 funding, stories like Teresa's will no longer be
19 possible, and we thank you for your time, Committee,
20 and we look forward to increased cooperation for our
21 legal services. Thank you.

22 COMMITTEE COUNSEL: Thank you for your
23 testimony. We'll next hear from Rex Chen. Following
24 Rex Chen we'll hear from a panel comprised of David

1 COMMITTEE ON IMMIGRATION 120

2 Miranda, Gina Starfield, Hannah Weichbrodt, Razia
3 Hamid, and Sierra Kraft, but Rex Chen you are up.

4 SERGEANT AT ARMS: Starting time.

5 REX CHEN: My name is Rex Chen, pronouns
6 he/him. I'm the Immigration Director at Legal
7 Services NYC. We give free immigration legal
8 services to thousands in New York City every year.

9 As many have said, full immigration court
10 representation is very important for asylum-seekers
11 to win their cases. They need help gathering
12 evidence and explaining how they do meet all the
13 legal requirements for asylum. Having a case that
14 deserves to win asylum is not always good enough.

15 Many need legal help to win the protection that they
16 deserve. Social workers are also very important.

17 You know, many asylum-seekers are traumatized and
18 make inconsistent statements about what they've
19 experienced because their trauma severely affects
20 their memory. Social workers play a critical role to
21 help traumatized asylum-seekers tell their story.

22 Social workers are important as part of providing
23 full legal representation, not just to help them
24 access social services, and not just to help fight
25 burnout among advocates. A third point is that

2 analyzing changes in immigration law and policies is
3 very important. At Legal Services NYC, we produce an
4 advisory and we held a national webinar to share tips
5 with advocates for how to defend immigrants, under a
6 2022 system that the government came up with that's
7 called the asylum processing roll [sic]. It basically
8 rushes certain asylum-seekers through the process,
9 and now the government is saying that they're going
10 to continue adding people to the asylum-seekers
11 processing roll process by focusing on families. This
12 is especially going to affect women and children who
13 are recent asylum-seekers. As far as the City's
14 efforts, we at LSNYC have found it difficult to learn
15 some of the details of what their services-- how to
16 access them. For example, which people can access
17 their services, what they're working on, and who's
18 allowed to walk in without an appointment. We're
19 glad that you asked them that question, because it's
20 very helpful for us to gather that information.
21 Thank you very much.

22 COMMITTEE COUNSEL: Thank you very much
23 for your testimony. We will next hear from David
24 Miranda, followed by Gina Starfield, followed by
25 Hannah Weichbrodt.

2 SERGEANT AT ARMS: Starting time.

3 DAVID MIRANDA: My name is David Miranda,
4 and I'm the Senior Staff Attorney at Covenant House
5 New York. I would like to thank the New York City
6 Council Committee on Immigration and especially Chair
7 Hanif for the opportunity to testify today on such an
8 important issue. At Covenant House we serve young
9 people age 16 to 24 who are experiencing
10 homelessness. For more information on Covenant
11 House, please refer to our written testimony. In the
12 past year in our legal services department, I'm the
13 only attorney actually on staff at Covenant House.
14 I've met with roughly 180 immigrant youth, providing
15 direct legal services to 90 of them by either
16 assisting with the asylum and work authorization
17 process, doing intakes and screenings, and also
18 change of venue assistance as some of them have court
19 dates all over the country. I think the issue for us
20 at Covenant House is that there are no legal service
21 providers that are amiable to take our young people.
22 So unless I take the cases, in partnership with some
23 of our partners such as The Door, the Citywide
24 Justice Center, and Catholic Charities, there are no
25 other attorneys in the city that are going to be able

2 to do so. And a lot of the issues that we're dealing
3 with are especially time sensitive. For example, as
4 you know, the asylum application has to be filed
5 within a year, and many of our youth do actually
6 qualify for special immigrant juvenile status. That
7 is a lengthy process since it takes having to go to
8 Family Court, as well as then filing the necessary
9 immigration applications. And many of our young
10 people, because we serve youth from the age of 16 to
11 21, many of the young people that we see are on the
12 verge of turning 21. So that is one of the issues
13 that we're seeing. There is an issue with youth
14 accessing the asylum navigation center. It's
15 unclear whether the asylum navigation center--

16 SERGEANT AT ARMS: [interposing] Thank you
17 for your testimony. Your time has expired.

18 DAVID MIRANDA: Just one second. So the
19 referral has to be made from the-- directly from the
20 shelter, but my understanding at this point is that
21 the referral has to be done from the DHS shelter, a
22 DSS shelter, and not-- I'm not sure that they're
23 taking cases from the DYCD shelter. So I have-- our
24 youth have so far been unable to access the asylum
25 navigation center. So there is definitely a need for

2 more legal services. We're doing the best that we
3 can and I do appreciate the Council for allowing--
4 for letting me testify today. Thank you so much.

5 COMMITTEE COUNSEL: Thank you very much
6 for your testimony. We'll next hear from Gina
7 Starfield followed by Hannah Weichbrodt, followed by
8 Razia Hamid.

9 SERGEANT AT ARMS: Starting time.

10 GINA STARFIELD: Good afternoon Council
11 Members. My name is Gina Starfield. I'll be
12 speaking for my colleagues Razia Hamid and Hannah
13 Weichbrodt on behalf of The Door's Legal Services
14 Center. The Door is a comprehensive youth development
15 organization that has been supporting young New
16 Yorkers since 1972. Our Legal Services Center
17 specializes in serving young people, including many
18 clients who are unhoused, undocumented, or LGBTQIA+.
19 In the Fiscal Year 2023 we handled 3,282 immigration
20 matters for young people, and specifically
21 represented 170 young people in asylum applications.
22 As our written testimony will detail, no-cost
23 immigration legal service providers in New York City
24 are struggling to respond to the high number of
25 recent arrivals including many children and young

2 immigrants who are seeking legal services. Almost
3 every day, staff members on our legal services team
4 have to turn away young immigrants seeking legal
5 support and representation. All children and young
6 people who may qualify for asylum should receive
7 legal services as soon as possible due to the one-
8 year post-arrival deadline to apply for asylum, and
9 because many of them are in removal proceedings
10 before immigration courts. It is particularly
11 difficult for children and young people to develop
12 and present their own asylum claims without counsel.
13 The process for seeking asylum is highly complex and
14 opaque. Unsurprisingly, asylum-seekers who are
15 represented by an attorney are significantly more
16 likely to win asylum or other forms of relief from
17 deportation. Attorneys can mean the difference
18 between relief and deportation, safety and danger for
19 many young people. Many of the immigrant youth we
20 serve are people with complex trauma. We ask New
21 York City to support funding for mental health
22 providers to expand access to mental health services
23 for asylum-seekers. The Door's comprehensive and
24 holistic programming pairs legal clients with social
25 workers throughout their legal case, and we have seen

2 the positive impact of giving youth access to social
3 workers and mental health services throughout the
4 asylum process. The current state of immigration
5 processing means incredibly long wait times at all
6 stages of asylum process. We often see wait times
7 extend for up to five years for an asylum interview--

8 COMMITTEE COUNSEL: [interposing] Thank
9 you for your testimony. Your time has expired.

10 GINA STARFIELD: We urge New York City to
11 support legal service providers in full
12 representation to increase language access as well
13 for asylum-seekers, especially for indigenous
14 language speakers, and to rescind the 60-day shelter
15 rule and ensure shelter for all youth and families
16 with children.

17 COMMITTEE COUNSEL: Thank you for your
18 testimony. We'll next hear from Hannah Weichbrodt
19 followed by Razia Hamid, followed by Sierra Kraft.

20 SERGEANT AT ARMS: Starting time.

21 HANNAH WEICHBRODT: Razia and I both gave
22 our time to Gina, as she speaks on behalf of The
23 Door.

24 COMMITTEE COUNSEL: Thank you very much.
25 We'll next year, in that case, from Sierra Kraft.

2 SERGEANT AT ARMS: Starting.

3 SIERRA KRAFT: HI, good afternoon
4 esteemed members of the Immigration Committee. I
5 appreciate the opportunity to have addressed you
6 today. I am Sierra Kraft, the Executive Director at
7 ICARE. ICARE is a nonprofit coalition of legal
8 service providers dedicated to providing vital and
9 free representation to immigrant children facing
10 deportation in New York City. Our ultimate mission
11 is to ensure universal access to counsel for these
12 children. Since 2014 we have supported over 11,000
13 young immigrant New Yorkers. As you've heard today,
14 access to an immigration attorney can be a matter of
15 life or death for immigrant children. The children
16 we represent have fled extreme violence and trauma in
17 their home countries, embarking on a perilous journey
18 in search of safety, protection and opportunities.
19 And without our representation most of these children
20 would be forced to represent themselves against a
21 trained government lawyer. And studies show that
22 only 15 percent chance of winning their case while
23 unrepresented. And meanwhile, when they're
24 represented, they have nearly over 90 percent success
25 rate of winning their case. And so the loss of

2 attorneys can result in the swift deportation back to
3 home countries where their lives are at danger.
4 Today we urge City Council to make a long-term
5 investment in full representation for unaccompanied
6 children and wraparound supports in addition to the
7 light-touch services we've heard about today. This
8 investment would look like multiyear funding and to
9 support and pass bills like the Access to
10 Representation Act to ensure that every immigrant in
11 need of legal representation is connected and
12 supported and guided on their journey. New York City
13 continues rank fourth in the highest number of
14 unaccompanied arrivals and release to sponsors. So
15 we see over 8,400 unaccompanied children arrive to
16 New York every single year. So again, I just want to
17 reiterate our call to City Council to prioritize and
18 increase funding for these vulnerable communities,
19 especially the many unaccompanied minors in New York
20 City who rely on these critical legal services and
21 immigration support that ICARE members--

22 SERGEANT AT ARMS: [interposing] Your time
23 has expired.

24 SIERRA KRAFT: provide.

25 SERGEANT AT ARMS: Thank you so much.

SIERRA KRAFT: Thank you.

COMMITTEE COUNSEL: Thank you very much
4 for your testimony. We'll now hear from our next Zoom
5 panel. We'll hear from Ernie Collette, followed by
6 Hannah Tager, followed by Leslie Allen [sp?]. Ernie
7 Collette, you're next up.

ERNIE COLLETTE: Good afternoon, and
9 thank you very much to the committee for allowing me
10 to testify. My name is Ernie Collette. I'm a
11 Supervising Attorney with the Immigration Law Project
12 at Mobilization for Justice. Despite the number of
13 legal services providers and legal collaborations in
14 New York City including the great work by the Asylum
15 Application Help Center, the number of asylum-seekers
16 seeking representation overwhelms the current
17 structure of those seeking relief. Asylum-seekers
18 face adjudication backlogs, long wait times for
19 employment authorization, and struggle to remain in
20 shelters or find affordable housing. This is an
21 unprecedented number of individuals seeking a safe,
22 reliable place to live while trying to navigate a
23 complex immigration system pro se, and removing
24 individuals from shelters as quickly as possible
25 exacerbates a crisis that often forces clients to

2 decide between focusing their attention on with
3 seeking housing or on seeking legal services which
4 again is intensified without immediate access to
5 employment authorization. Many of our perspective
6 asylum clients who have faced persecution resulting
7 in trauma are attempting not only to seek
8 representation, but also continue to navigate access
9 to housing, education, medical care, both physical
10 and mental health, technology, and food with language
11 barriers that only make this process more difficult.
12 This does not even consider the other humanitarian
13 and family-based needs of our current clients which
14 also require time and investment to ensure proper
15 representation. Some solutions may include
16 increasing and creating more grant opportunities that
17 focus directly on access to representation, providing
18 new and increasing funding as mentioned today by the
19 City Council for specific applications for relief
20 such as work authorization, increasing to technology
21 and safe locations and access to mental health
22 counseling, a right to representation to all
23 immigrants seeking representation, especially to
24 unaccompanied minors, and calling on the federal
25 government to expand online filings to applications

2 with fee waivers and expedite work authorization for
3 certain humanitarian forms of relief, specifically
4 asylum, TPS, and SIDG [sic]. Any future pathways
5 should be accompanied by direct support by the City
6 Council to increase funds and create programs that
7 will allow for more representation, as the demand for
8 these services will only grow. Thank you very much.

9 COMMITTEE COUNSEL: thank you very much
10 for your testimony. We'll next hear from Hannah
11 Tager, followed by Leslie Allen.

12 SERGEANT AT ARMS: Starting time.

13 HANNAH TAGER: Hi there and thank you to
14 Chair Hanif and the esteemed members of the Committee
15 on Immigration for the opportunity to submit
16 testimony. My name's Hannah Tager and I'm a Policy
17 Manager at Win. We're the city's largest provider of
18 shelter and supportive housing to families with
19 children. We house over 6,500 people and roughly a
20 third of our clients are immigrants. We also shelter
21 about 270 families who are recently-arrived migrants.
22 We work day-in and day-out to close opportunity gaps
23 for these families and while we're facing significant
24 budget cuts and without reimbursement when it's
25 provided, food and clothing, orientation, childcare

2 and recreation programming, and referrals to physical
3 and mental healthcare. We've spent millions of
4 unanticipated dollars, and without legal
5 intervention, most of these families will be reliant
6 long-term on shelter providers like Win and the City
7 for high-cost emergency shelter and resources. We
8 have seen undocumented families stay upwards of eight
9 years in shelter and families being raised entirely
10 in homelessness, because without a social security
11 number and asylum application, they remain ineligible
12 for housing vouchers like CityFEPS. So in response
13 to that, we launched our own legal empowerment
14 clinic, the lead clinics so that families can apply
15 for asylum within their one-year deadline. It's
16 unique collaboration between the nonprofit legal
17 provider NYLAG and the Immigration Law Firm Fragoman.
18 It's been a huge success so far, and we've helped
19 over 70 families with their asylum claims, and we're
20 excited to see this model being replicated elsewhere.
21 However, there's still work to be done. The reality
22 is is that there will be thousands of migrant
23 families who miss their asylum application deadline
24 and have to live undocumented in the City,
25 essentially relegated to second-class status. So in

2 response to that reality, we are proposing the
3 following policy recommendations. First, we need the
4 City Council to pressure the Administration to please
5 enact CityFEPS expansion and bill package, right?
6 That will decrease the shelter--

7 SERGEANT AT ARMS: [interposing] Your time
8 has expired. Thank you so much.

9 HANNAH TAGER: [inaudible] remove all
10 [inaudible] households into permanent housing.
11 Additional recommendations are in my testimony.
12 Thank you.

13 COMMITTEE COUNSEL: Thank you very much
14 for your testimony. We'll next hear from Leslie
15 Allen. After Leslie Allen we'll hear from our final
16 Zoom panel, which will be Nuala O'Doherty-Narangjo,
17 followed by Antonia House, followed by Jim Burke. But
18 next up is Leslie Allen.

19 SERGEANT AT ARMS: Starting time.

20 LESLIE ALLEN: Good afternoon. My name
21 is Leslie Allen and I'm the Deputy Director of Legal
22 Services at the New York City Anti-violence Project.
23 I use she/her pronouns, and I appreciate the
24 opportunity to share my perspective and experiences
25 with the barriers to service immigrant clients within

2 an AVP [sic]. Our immigrant survivors are trying to
3 move towards safety and stability after fleeing
4 violence and persecution. We serve the LGBTQ and
5 HIV-affected survivors in a wide variety of legal
6 services, including immigration, but certainly not
7 exclusive to immigration. We are small compared to a
8 lot of the agencies that you have heard from today
9 with only 120 immigration clients currently active.
10 What we do see is that we have hit a point where we
11 no longer can take on new clients because of lack of
12 funding, because litigating asylum cases start to
13 finish is incredibly detailed and requires a
14 tremendous amount of training and expertise and is
15 incredibly paperwork heavy. We know that we have
16 incredible amounts of unmet need. LGBTQ survivors are
17 referred to AVP through calling our 24/7 hotline
18 which helps people in all kinds of different states
19 of crises, and what we've seen is that the immigrant
20 demand for services and protection has increased
21 exponentially in recent months and years. As a
22 lawyer and the manager of Legal Services at the Anti-
23 violence Project, I regularly witness litigants
24 trying to navigate around systemic barriers faced by
25 LGBTQ-- that LGBTQ and HIV-affected immigrants are

2 especially having difficulty navigating. What we are
3 specifically worried about at AVP is extreme delays
4 and opaque procedures and navigating the immigrant
5 court system, difficulty in finding pro bono
6 [inaudible] physical and mental health providers
7 necessary to corroborate asylum-seekers in telling
8 their story and history of persecution.

9 SERGEANT AT ARMS: Thank you so much.

10 Your time has expired.

11 LESLIE ALLEN: Yes. Thank you for this
12 opportunity and please refer to my written testimony.
13 Thank you.

14 COMMITTEE COUNSEL: Thank you very much
15 for your testimony. We'll next hear from our final
16 Zoom panel. We'll first hear from Nuala O'Doherty-
17 Narangjo, followed by Antonia House, followed by Jim
18 Burke.

19 SERGEANT AT ARMS: Starting time.

20 NUALA O'DOHERTY-NARANJO: Hello. My name
21 is Nuala O'Doherty-Naranjo. I'm an attorney here at
22 the Jackson Heights Immigrant Center in Jackson
23 Height, Queens. I'm here in a-- [inaudible] family
24 apply for asylum. We are the type of small mutual
25 aid group on the ground helping the maximum number of

2 people and we implore the City and the City Council
3 to help us fund these projects. A small group like
4 mine goes through a case of paper a week, and we have
5 no funding to buy the paper. We work in an all-
6 volunteer staff, and we're working to try to help as
7 many immigrants as possible where there's really no
8 funding stream for small mutual aid groups like mine
9 to seek support from the City. We are doing this
10 day-in and day-out. We don't have time to be
11 applying for grants. We really ask or demanding that
12 the City give us some small amounts of funding so
13 that we can continue serving as many immigrants as we
14 can. We'd also love some answers about how the
15 shelter changes are going affect these immigrant
16 families so we can spread the information. Truthful
17 information is so crucial. So many immigrants are
18 going based on whims and rumors and speculation. So
19 it's important that groups like mine have correct
20 information, especially about things like the changes
21 in Medicaid that have happened and why all the new
22 immigrants are now being denied Medicaid. We'd love
23 [inaudible] and work closely with the City so we can
24 help as many immigrants as possible. So I'm asking
25 the City to really look at small mutual aid groups

2 that are down in the community helping the immigrants
3 every day and provide support for them. Thank you.

4 COMMITTEE COUNSEL: Thank you for your
5 testimony. We'll next hear from Antonia House
6 followed by Jim Burke.

7 SERGEANT AT ARMS: Starting time.

8 ANTONIA HOUSE: Hi, many name is Antonia
9 House. I work at Take Root Justice and I coordinate
10 CILEC which is the collaborative of 13 legal service
11 provider and base-building organizations that serve
12 immigrants throughout the City. Collectively we
13 handle thousands of immigration cases every year. I
14 want to echo what others have said, that while pro se
15 assistance is incredibly important, problems lie
16 ahead for the City if it does not increase investment
17 in legal services infrastructure that can address
18 long-term needs of both new and existing immigrant
19 populations here. Preserve deadlines and even work
20 permit applications will postpone, but not prevent
21 the creation of a new generation of undocumented New
22 Yorkers. Others have talked about the limitation of
23 pro se services. I'll just note that most people who
24 are un-represented in removal proceedings will
25 eventually be ordered removed, but very few will

2 actually be physically deported. They will lose their
3 employment authorization and a clear pathway to
4 lawful status and will remain here facing an
5 incredibly precarious future. On the other hand,
6 people who are granted asylum get access to federal
7 refugee resettlement assistance which includes rental
8 assistance, public benefits, and supportive services
9 that will help them secure permanent housing. In
10 other words, there is a huge and growing need for
11 full representation that nonprofit legal service
12 providers are best-positioned to address for reasons
13 that have been addressed through other testimony and
14 in our written testimony. The last thing I want to
15 mention is that along with others here, we ask the
16 Administration, particularly MOIA, to engage and
17 collaborate with all city-contracted providers,
18 including ActionNYC and IOI providers as we respond
19 to this moment. We have asked for these joint
20 meetings and have yet to have one. I-- continued
21 siloed [sic] conversations will just lead to
22 duplicative efforts and missed opportunities for
23 fruitful collaboration. Thank you.

24 COMMITTEE COUNSEL: Thank you for your
25 testimony, we'll next hear from Jim Burke.

2 SERGEANT AT ARMS: Starting time.

3 JIM BURKE: Hi, my name is Jim Burke. I'm
4 a Co-founder at 34th Avenue Open Streets where we see
5 lots and lots of migrants in this neighborhood in
6 Jackson Heights. We work closely with these small
7 mutual aid places like Jackson Heights Immigration
8 Site, Community SOC which is a food bank that
9 distributes clothing and food, and these groups don't
10 have enough money to help folks. They-- one of the
11 groups distributes clothing every week and food as
12 often as they can. They got-- actually also open up
13 their community center every Wednesday for the
14 shelter residents to get appropriate clothing,
15 because they often come from climates that don't even
16 support this type of weather we've having now, never
17 mind winter. And these community organizations are
18 on the ground, and all those people I know are
19 panicking now with the limitations on how long can
20 they stay at the shelter and these-- how are they
21 going to get their mail? How are they going to get
22 their misinformation? The clock is, you know,
23 working against them. These small groups process a
24 lot of these applications. They help them fill them
25 out. They go step by step. They usually have a

2 lawyer on hand to review it at the end, but they need
3 help, and I would really urge you to think of COVID
4 and think about the first responders were these
5 smaller mutual aid groups. Unfortunately, the larger
6 groups are unwieldy, and by the time they get it
7 together, the time has run out. So, again, urging
8 you to look at these small community-based
9 neighborhood groups in the neighborhoods where we
10 have the most immigrants like Jackson Heights, and
11 Corona, Elmhurst, and let them help these migrants
12 get their work visas and get the help that they so
13 desperately need, and figure out what's their next
14 step when they're being kicked out of the-- where
15 they're living now in our neighborhood. We have to
16 be ahead of the game, and again, urging you--

17 SERGEANT AT ARMS: [interposing] Thank you
18 so much. Your time has expired.

19 JIM BURKE: Thank you.

20 COMMITTEE COUNSEL: Thank you for your
21 testimony. We have no heard from everyone who has
22 signed up to testify. If we inadvertently missed
23 anyone who would like to testify in-person, please
24 visit the Sergeant's table and complete a witness
25 slip now. If we inadvertently missed anyone who

2 would like to testify virtually, please us the raise
3 hand function in Zoom and we will call on you in the
4 order of hands raised. Seeing no one else, I would
5 like to note that written testimony which will be
6 reviewed in full by committee staff may be submitted
7 to the record up to 72 hours after the close of this
8 hearing by emailing it to testimony@council.nyc.gov.
9 And with that, I will turn it back over to Chair
10 Hanif to close us out.

11 CHAIRPERSON HANIF: Thank you so much,
12 Nicole. Thank you all for joining. As Chair of the
13 Immigration Committee I remain committed to ensuring
14 all new arrivals to our city are met with compassion
15 and welcomed with dignity. I will use my time to
16 bring attention to what causes mass migration and
17 displacement, climate crises, political tensions,
18 war, and economic stressors. We will not use my
19 committee to dissuade anyone from coming to our city.
20 I remain committed to pushing for comprehensive legal
21 services for full representation as we heard from
22 providers directly, and to working closely with the
23 Administration for accessible legal services that
24 reach our new neighbors and reject directives such as
25 the 30/60-day rules that make it further precarious

2 to obtain services. We are appreciative of all the
3 small and large organizations, mutual aid networks
4 committed to this work. Thank you all for joining.
5 See you at our next hearing.

6 [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date October 28, 2023